



DOMESTICATED GAME BREEDER'S LAWS

This document is designed to provide essential information about domesticated game breeding. It does not provide complete coverage of all domesticated game breeding laws.

Although this document contains excerpts from the Fish and Game Code, it is the licensee's responsibility to know and obey all laws and regulations in effect while he/she is participating in domesticated game breeding activity. Changes to any code may occur at any time during the year.

Any discrepancies between this document and the code(s) from which it was prepared will be enforced and adjudicated according to the official code(s) in effect on the date the activity takes place.

Fish and Game Code Excerpts

§2400. Dead Game Birds and Mammals – Transportation Requirements

Common carriers may transport at any time the carcasses or parts thereof of dead domesticated game birds and mammals tagged with a domesticated game breeder's tag as provided in Article 1 (commencing with Section 3200), Chapter 2, Part 1, of Division 4. In addition, a tag or label shall be affixed to every package containing such carcass or part, which shall:

- (a) Give the names of the person to whom the game breeder's license was issued, of the person by whom such game was killed, of the person to whom such game is consigned, and of the person by whom such game was tagged.
- (b) Give the number of carcasses or portions thereof contained in the package.
- (c) State that the game birds or mammals were killed and tagged in accordance with the provisions of Article 1 (commencing with Section 3200), Chapter 2, Part 1, of Division 4.

§2401. Importation of Carcasses of Game Birds, etc.

Notwithstanding the provisions of Section 3206, the carcasses or parts of domesticated game birds which have been raised outside of this State may be imported into this State, and transported, sold, or possessed in this State.

Common carriers may receive and transport such carcasses or parts at any time. A label

shall be affixed to every package containing such carcasses or parts with the following data plainly written or printed thereon:

- (a) The names and addresses of the consignor and consignee.
- (b) The number and kinds of carcasses or parts thereof.
- (c) A statement that the contents are carcasses or parts of domesticated game birds raised outside this State.

§3005.5. Capture or Possess Wildlife Unlawful; Regulations Permitting

It is unlawful to capture any game mammal, game bird, nongame bird, nongame mammal, or furbearer, or to possess or confine any live game mammal, game bird, nongame bird, nongame mammal, or furbearer taken from the wild, except as provided by this code or regulations made pursuant thereto. Any bird or mammal possessed or confined in violation of this section shall be seized by the department.

The commission may promulgate regulations permitting the temporary confinement of game mammals, game birds, nongame birds, nongame mammals, or furbearers for the purpose of treating the animals, if injured or diseased.

§3200. Game Breeder's License; Requirement, etc.

Any person engaged in raising or importing, or keeps in captivity in this state, domesticated game birds or domesticated game mammals which normally exist in the wild in this state shall

procure a domesticated game breeder's license if the birds or mammals are kept more than 30 days after acquisition. No license is, however, required of any of the following:

- (a) Licensed pheasant clubs, except to the extent provided in Section 3283.
- (b) Licensed domesticated migratory game bird shooting areas as defined in Article 4 (commencing with Section 3300), of Chapter 2, Part 1, of Division 4.
- (c) Keepers of hotels, restaurants, boardinghouses, or clubs serving the meat of those birds or mammals for actual consumption on the premises.
- (d) Retail meat dealers selling such meat to customers for actual consumption.
- (e) Public zoological gardens possessing those birds or mammals for exhibition purposes or for the purpose of disposing of the birds or mammals by sale, exchange, or donation to other public zoological gardens.

§3201. Sell Carcass of Domesticated Bird or Mammal; Requirements

No person shall sell the carcass of any domesticated game bird or mammal without first obtaining a domesticated game breeder's license from the department. The department may issue such a license upon terms and conditions as the commission may prescribe, and the commission may at any time revoke such a license for sufficient cause.

§3202. Breeder's Licenses – Class 1 and Class 2

There are classes of domesticated game breeder's licenses, designated "class 1" and "class 2".

- (a) A class 1 domesticated game breeder's license authorizes the licensee to engage in all domesticated game breeding activities, except that not more than 175 Chinese ringneck or Mongolian ringneck pheasants, or both, or hybrids thereof, may be sold under a class 1 license.
- (b) A class 2 domesticated game breeder's license is required in order to sell more than 175 Chinese ringneck or Mongolian ringneck

pheasants, or both, or hybrids thereof, and entitles the licensee to all rights and privileges of a class 1 license.

§3203. Game Breeder License Fees

The department shall issue a class 1 domesticated game breeder's license upon the payment of a base fee of eight dollars (\$8), as adjusted under Section 713, a class 2 domesticated game breeder's license upon payment of a base fee of forty dollars (\$40), as adjusted under Section 713.

§3204. Term and Display of Breeder's License

Licenses issued under the provisions of this article are valid for a term of one year from January 1st, or, if issued after the beginning of such term, for the remainder thereof.

A domesticated game breeder's license shall be conspicuously displayed on the property where the birds or mammals are held in captivity.

§3205. Transport Live Domesticated Game – Carriers for Hire

Carriers for hire may carry within the State live domesticated game birds and mammals upon such terms and conditions as the commission may prescribe.

§3206. Transport or Sell Dead Domesticated Game – Requirements

No domesticated game bird or mammal shall be transported or sold dead unless each quarter and each loin of the carcass of each large mammal, the carcass of each bird, except as provided in Section 2401 for a domesticated game bird raised outside this State, and the carcass of each small mammal is tagged with a domesticated game breeder's tag or seal. The tag or seal shall not be removed until such quarter, loin, or carcass is prepared for consumption.

No tag so affixed shall be used again.

No tag or seal shall be sold by the department to anyone other than a person who is legally in possession of domesticated game.

§3207. Tag or Seal Fees

The department shall collect three cents (\$0.03) for each tag or seal.

§3208. Reports by Game Breeders

On or before January 31st of each year, every person to whom a domesticated game breeder's license has been issued shall report the following to the department on a form provided by the department:

- (a) The total number of each species of game birds and mammals killed, sold, or shipped during the preceding year.
- (b) The names of the persons to whom such game birds or mammals were sold or shipped.
- (c) The name of the person in whose presence such game birds or mammals were tagged.
- (d) A complete list of the game birds and mammals held in his possession at the time the report is made.

Such report shall be verified by the affidavit of the licensee.

§3212. Sell Meat for Consumption on Premises; Inspections

The keeper of a hotel, restaurant, boardinghouse, or club may sell portions of a quarter or loin of a large mammal, or the carcass of a game bird or mammal raised or imported under a domesticated game breeder's license, to a patron for actual consumption on the premises only, and no license for that purpose shall be required of such keeper or club. All keepers of hotels, restaurants, boardinghouses, or clubs who sell any such game for consumption to a patron shall be required to submit to the inspection of their premises by the department and shall display for such inspection any carcass or parts thereof held in storage for sale. All such game shall be tagged under Section 3206.

§3213. Sale of Carcass or Parts by Retail Meat Dealer

A retail meat dealer may, without a license, sell portions of a quarter or loin of a large mammal or the carcass of a game bird or mammal raised

or imported under a domesticated game breeder's license to a customer for actual consumption.

Retail dealers shall submit their premises to inspection by the department, and shall display at any authorized inspection any carcass or parts thereof held by them in storage. Such game meat or carcasses shall be tagged under Section 3206.

§3214. Confinement of Domesticated Game Mammals – Requirements

Domesticated game breeders or other persons holding domesticated game mammals in captivity shall confine the mammals in escape-proof cages or enclosures. In the event any of the mammals escape from the cages or enclosures, the owner shall immediately make every reasonable effort to recapture them. If the owner fails to recapture the escaped mammals, the department may capture the mammals or remove them from the wild by whatever means may be necessary if, in the opinion of the department, the mammals may conflict with native species of birds or mammals or cause damage to public or private property. The owner shall reimburse the department for all costs incurred in capturing or removing the mammals from the wild. The owner of the mammals shall be responsible for any damage they may cause to public or private property.

Any domesticated big game mammal may be marked with ear tags or other suitable markings or tags, as may be specified by the commission, which shall identify the owner of the mammals.

§3216. Method of Killing; Exceptions

All domesticated game birds and mammals, excepting deer, sold under the provisions of this article, shall be killed otherwise than by shooting. This section does not apply to licensed pheasant clubs, licensed domesticated migratory game bird shooting areas, or to the training or practice of hunting dogs.

§3217. Carcass of Game Birds as Prima Facie Evidence

The carcass of a game bird which shows that it has been killed by shooting shall constitute prima facie evidence that it was not a

domesticated game bird. The fact that the bird has been tagged in accordance with Section 3206 of this code shall not alter this presumption.

§3218. Revocation of License for Violations

Any license issued under this article may be revoked by the commission upon conviction of the licensee of a violation of any provision of this code, and no similar license may be issued to the licensee during the same license year.

§3219. Domesticated Reindeer; Importation and Sale

Domesticated reindeer may be imported into this State and sold only in accordance with regulations which the Commission may prescribe.

§3500. Resident and Migratory Game Birds Enumerated; "Game Birds"

(a) Resident game birds are as follows:

- (1) Doves of the genus *Streptopelia*, including, but not limited to, spotted doves, ringed turtledoves, and Eurasian collared-doves.
- (2) California quail and varieties thereof.
- (3) Gambel's or desert quail.
- (4) Mountain quail and varieties thereof.
- (5) Sooty or blue grouse and varieties thereof.
- (6) Ruffed grouse.
- (7) Sage hens or sage grouse.
- (8) Hungarian partridges.
- (9) Red-legged partridges including the chukar and other varieties.
- (10) Ring-necked pheasants and varieties thereof.
- (11) Wild turkeys of the order Galliformes.

(b) Migratory game birds are as follows:

- (1) Ducks and geese.
- (2) Coots and gallinules.
- (3) Jacksnipe.
- (4) Western mourning doves.
- (5) White-winged doves.

(6) Band-tailed pigeons.

(c) References in this code to "game birds" means both resident game birds and migratory game birds.

§3504. Sale or Purchase of Birds

Subject to the provisions of this code permitting the sale of domestically raised game birds, it is unlawful to sell or purchase any game bird or nongame bird or part thereof.

§3950. Game Mammals Enumerated

(a) Game mammals are: deer (genus *Odocoileus*), elk (genus *Cervus*), prong-horned antelope (genus *Antilocapra*), wild pigs, including feral pigs and European wild boars (genus *Sus*), black and brown or cinnamon bears (genus *Euarctos*), mountain lions (genus *Felis*), jackrabbits and varying hares (genus *Lepus*), cottontails, brush rabbits, pigmy rabbits (genus *Sylvilagus*), and tree squirrels (genus *Sciurus* and *Tamiasciurus*).

(b) Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*) are game mammals only for the purposes of sport hunting described in subdivision (b) of Section 4902.