

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Agency

Department of Energy and Environmental Protection

Subject

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Inclusive Sections

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Importation of Fish, Birds and Quadrupeds

Sec. 26-55-1. Importation, transportation or liberation of live fish or live fish eggs

No person, firm or corporation shall import into this state, transport for the purpose of liberation within this state or liberate into the waters of this state live fish or live fish eggs except as hereinafter provided.

(a) Permits for the importation or liberation of live fish and live fish eggs may be issued at the discretion of the Commissioner.

(b) No permit for the importation or liberation of live fish or live fish eggs shall be issued to cover a period of more than sixty days and a separate application must be made for each importation or liberation of live fish or live fish eggs.

(c) All applications for an importation permit or liberation permit shall include the full name and address of the applicant and the vendor from whom the live fish or live fish eggs will be obtained, the number of each species of live fish or live fish eggs to be imported or liberated, the purpose of such importation or liberation and, if such live fish or live fish eggs are to be liberated, the name and location of the waters where such live fish or live fish eggs are to be liberated.

(d) Any live fish or live fish eggs originating outside of the United States, or originating from west of the United States continental divide, must have originated from a source that has obtained a current fish health certification issued by a person or persons acceptable to the Commissioner and such fish health certification shall accompany the shipment of such live fish or live fish eggs. Any live fish or live fish eggs originating outside of the United States must, in addition, have official clearance in writing, from the United States Fish and Wildlife Service.

(e) Representatives of the Commissioner may inspect any imported fish or fish eggs being brought into the state. The Commissioner may order that any live fish or live fish eggs, suspected of carrying diseases, pathogens or parasites capable of inducing any disease, be quarantined, at permittee's expense, for a period of up to one hundred and twenty days.

(f) Any fish which show evidence of any disease, pathogen or parasite capable of inducing any disease shall be immediately taken to the state fish pathologist for examination and diagnosis. In the event that any disease, pathogen or parasite capable of inducing any disease is determined to be present by said pathologist the Commissioner may in the public interest, order that all imported fish as well as any other fish present in the waters containing such imported fish be destroyed by whatever means he shall determine is the most practical and in the best public interest.

(g) No imported fish or fish eggs shall be liberated or introduced into the waters of the state if they are known to be infected with disease or infected with parasites which, in the opinion of the Commissioner, would make the liberation of such fish inadvisable in the interest of protecting humans, resident fish species or established exotic fish species from disease or parasitism.

(h) No permit shall be required to import live, common aquarium species. The importation or possession of piranha of the subfamily: Serrasalminae, genera Serrasalmus,

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Serrasalmo, Pygocentrus, Teddyella, Rooseveltiella and Pygopristus, and walking catfish of the family Clariidae, genera Clarias, Heteropneustes, Dinotoplerus and Heterobranchus is prohibited except that the Commissioner may at his discretion issue permits for the importation and possession, when it is in the public interest, for public display purposes, of specimens of piranha and walking catfish. Such possession permits shall be issued for a calendar year and the applicant must request renewal of said permit prior to December thirty-first of the year said permit is in effect. Renewal of said permit shall be at the discretion of the Commissioner. Such permittee shall report annually to the Commissioner during the month of December on the status and health of the specimens for which said permit is issued, except that in the case of death of said specimens the permittee shall report same to the Commissioner within seven days.

(i) The importation, possession or liberation of grass carp or white amur (*Ctenopharyngodon idella*) is prohibited, except that the Commissioner, at his discretion, may issue a permit for the importation, possession and liberation of triploid (sterile) grass carp into lakes and ponds of this state as herein provided.

(1) Waters into which triploid grass carp are to be liberated may be inspected by an agent of the Commissioner.

(2) The Commissioner shall not issue a permit for the liberation of triploid grass carp into any lake or pond where multiple individuals or entities own the property immediately abutting the lake or pond, unless:

(A) the applicant provides notice to the owners of record of each property immediately abutting the lake or pond by mail to the owner's address on the most recent grand tax list of the municipality in which such properties are located or by personal delivery and receives written agreement to such liberation from such owners; or

(B) at least thirty (30) days prior to the Commissioner issuing the permit:

(i) the Commissioner publishes a notice of the application on the department's web site; and

(ii) the applicant provides a notice of application to the chief executive officer, as described in section 7-193 of the Connecticut General Statutes, for each municipality in which the lake or pond is located. The notice of application may reference the notice published on the department's website but shall, at a minimum, contain the heading "Notice of Application to Liberate Triploid Grass Carp"; the name of the applicant; the location of the proposed activity by the name of the lake or pond and the municipality or municipalities in which the lake or pond is located; and the address, telephone number and e-mail address of the applicant. In addition to such notice, and prior to issuing any permit for such liberation, the Commissioner may require the applicant to attend a public information meeting conducted by the department regarding the application to be held in any municipality in which the lake or pond is located.

(3) The Commissioner shall not issue a permit for the liberation of triploid grass carp into any waters unless the outlet and inlet of such waters are, in his opinion, adequately screened so as to prevent the emigration of such grass carp or unless such waters are

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ecologically isolated. For the purposes of this subsection, ecologically isolated means any waters from which, in the opinion of the Commissioner, the emigration of such grass carp will not significantly impact public waters or waters of another, or from which there is no surface water outflow.

(4) Any permit for the liberation of triploid grass carp issued by the Commissioner may prescribe the number and size class of triploid grass carp that may be liberated.

(5) Such fish shall be certified as triploid prior to shipment by a person or persons acceptable to the Commissioner and such certification shall accompany the shipment of such fish.

(6) At least fourteen (14) days prior to importation of such fish, the permittee shall notify the Commissioner of the date that any grass carp are to be imported and the location where such fish may be inspected.

(7) Such fish may be inspected and may be sampled and tested for triploidy by an approved method by an agent of the Commissioner prior to liberation.

(8) Any shipment of grass carp which contains any diploid (fertile) individuals shall be confiscated and disposed of at the discretion of the Commissioner.

(9) The owner of any lake or pond into which grass carp are liberated shall allow agents of the Commissioner to monitor the population dynamics of the grass carp and other environmental conditions of the pond in order to determine the long term efficacy of grass carp in Connecticut waters.

(10) In the event that any grass carp or white amur, that are capable of reproduction, are liberated into or found in any waters of this state, the Commissioner may, in the public interest, order that all such fish as well as any other fish present in such waters be destroyed by whatever means he shall determine to be the most practical and in the best public interest except as provided in section 26-55a of the Connecticut General Statutes.

(j) Live fish or live fish eggs of the following species, genera or families shall not be imported into the state or possessed except that, when it is in the public interest, permits for the importation or possession of specimens may be issued, at the discretion of the Commissioner, for research or public display purposes or as provided for in section 26-40d-1 of the Regulations of Connecticut State Agencies:

- (1) bowfin (*Amia calva*);
- (2) gars (*Lepisosteidae*);
- (3) gizzard shad (*Dorosoma cepedianum*);
- (4) white bass (*Morone chrysops*);
- (5) freshwater drum (*Aplodinotus grunniens*);
- (6) snail carp or black carp (*Mylopharyngodon piceus*);
- (7) silver carp (*Hypophthalmichthys molitrix*);
- (8) big head carp (*Aristichthys nobilis*);
- (9) tench (*Tinca tinca*);
- (10) rohu (*Labeo rohita*);
- (11) calbasu (*Labeo calbasa*);

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- (12) catla (*Catla catla*);
- (13) mrigal (*Cirrhina mrigala*);
- (14) mahseer (*Tor tor*);
- (15) crucian carp (*Carassius carassius*);
- (16) rudd (*Scardinius erythrophthalmus*);
- (17) european whitefish, orfe or ide (*Leuciscus idus*);
- (18) any species of fish whose importation into the United States is prohibited;
- (19) any species of fish designated rare, threatened or endangered;
- (20) any species of fish which the Commissioner determines is potentially dangerous to humans, established species of fish or established aquatic plants;
- (21) Snakehead (including all members of the genus *Channa* and *Parachanna* or their generic synonyms of *Bostrychoides*, *Ophicephalus*, *Ophiocephalus* and *Parophiocephalus*); and
- (22) Sturgeon (including all members of the family *Acipenseridae*, genera *Acipenser*, *Huso*, *Scaphirhynchus* and *Pseudoscaphirhynchus* and their hybrids).

Permits issued by the Commissioner under this subsection shall be for a term established by the Commissioner and shall not be transferable. The Commissioner may renew such permits upon receipt of a request for renewal on or before thirty (30) calendar days preceding expiration of such permit. The Commissioner may determine the species, life stages, number of specimens, location and manner of display, confinement, or storage of specimens, and location, timing and method of disposition of any or all specimens under any permit. Each permittee shall report annually to the Commissioner on or before November thirtieth, information on the current status of specimens, results of scientific studies, disposition of specimens and any other information as may be required under said permit. In the event that any of the species listed previously in this subsection are liberated or introduced into any waters of the state, the Commissioner may, in the public interest, order that all such fish as well as any other fish present in such waters be destroyed by whatever means he shall determine is the most practical and in the best public interest.

(k) The transporter of any live fish or live fish eggs that are destined for any state waters shall be in possession of a copy of the importation or liberation permit covering such live fish or live fish eggs and any applicable fish health certification. Any box, package or container holding live fish or live fish eggs transported by a common carrier and destined for delivery in this state shall have attached thereto and in plain view a copy of the permit covering such importation and any applicable fish health certification.

(Effective January 1, 1994; Amended April 27, 2005; Amended January 30, 2007; Amended October 4, 2011; Amended March 6, 2015)

Sec. 26-55-2. Repealed

Repealed March 5, 2012.

Reptiles and Amphibians

Sec. 26-55-3. Possession of Salamanders and Turtles

(a) No person shall possess in excess of three (3) Spotted Salamanders, (*Ambystoma maculatum*), at any time.

(b) No person shall possess in excess of three (3) Marbled Salamanders, (*Ambystoma opacum*), at any time.

(c) Repealed June 11, 2014.

(d) Repealed June 11, 2014.

(e) Repealed June 11, 2014.

(f) Repealed June 11, 2014.

(g) No person shall possess in excess of ten (10) adult Common Snapping Turtles, (*Chelydra serpentina*), at any time. This restriction shall not apply to turtles that can be documented as being bred in captivity and legally obtained.

(h) No person shall possess in excess of one (1) Spotted Turtle, (*Clemmys guttata*), at any time.

(Effective February 16, 1994; Amended September 9, 2013; Amended June 11, 2014; Amended July 7, 2016)

Notes: Publisher's note: Public Act 14-187 repealed subsections (c) through (f), inclusive, effective June 11, 2014. (June 11, 2014)

Importation and Possession of Deer, Moose, and Elk Carcasses and Parts

Sec. 26-55-4. Importation and possession of deer, moose, and elk carcasses and parts

No person shall import or possess whole carcasses or parts thereof of any deer, moose, or elk from wild or captive herds from other states or Canadian Provinces where chronic wasting disease has been confirmed, including, but not limited to, Colorado, Wyoming, Utah, New Mexico, Montana, South Dakota, Kansas, Minnesota, Wisconsin, Illinois, Nebraska, Oklahoma, New York, West Virginia, Alberta and Saskatchewan. Any additional states and provinces where chronic wasting disease is confirmed will be published in the Department's annual Hunting and Trapping Guide and on the Department's Web site. This provision shall not apply to meat that is de-boned, cleaned skullcaps, hides or taxidermy mounts.

(Adopted effective October 3, 2007)

Sec. 26-55-5. Possession of nuisance aquatic invertebrates

(a) The importation, introduction into the state, possession or liberation therein of live specimens or eggs of the following species, genera or families of aquatic invertebrates is prohibited, except that, when it is in the public interest, permits for the importation or possession of specimens may be issued, at the discretion of the Commissioner, for control, eradication, research or educational purposes:

(1) quagga mussel, including veligers (*Dreissena bugensis*);

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- (2) zebra mussel, including veligers (*Dreissena polymorpha*);
 - (3) Chinese mitten crab, (*Eriocheir sinensis*);
 - (4) New Zealand mud snail (*Potamopyrgus antipodarum*);
 - (5) any species of aquatic invertebrate whose importation into the United States is prohibited; and
 - (6) any species of aquatic invertebrate designated rare, threatened or endangered.
- (b) The importation, introduction into the state or liberation therein of live specimens or eggs of the following species, genera or families of aquatic invertebrates is prohibited, except that, when it is in the public interest, permits for the importation of specimens may be issued, at the discretion of the Commissioner, for research or educational purposes:
- (1) Asian clam (*Corbicula fluminea*); and
 - (2) rusty crayfish (*Orconectes rusticus*).
- (c) The use of individuals, living or dead, of any species listed in subsection (a) or (b) of this section as bait is prohibited, except that those species listed in subsection (b) of this section may be used as bait in the waters from which they were taken.
- (d) Permits issued by the Commissioner for control, eradication, research or educational purposes shall be for a term established by the Commissioner as determined by the needs of each specific control, eradication, research or educational program and shall not be transferable. The Commissioner may renew such permits upon receipt of a request for renewal on or before thirty (30) calendar days preceding expiration of such permit. The Commissioner may determine the species, life stages, number of specimens, location and manner of display, confinement, or storage of specimens, and location, timing and method of disposition of any or all specimens under any permit. Each permittee shall report annually to the Commissioner on or before November thirtieth, information on the current status of specimens, results of scientific studies, disposition of specimens and any other information as may be required under said permit.

(Effective October 4, 2011)

**Importation, Possession or Liberation of Wild Birds, Mammals, Reptiles,
Amphibians and Invertebrates**

**Sec. 26-55-6. Importation, possession or liberation of wild birds, mammals, reptiles,
amphibians and invertebrates**

- (a) **Definitions.** As used in this section:
- (1) “Aquarium” means a facility accredited by the Association of Zoos and Aquariums, or the Alliance of Marine Mammal Parks and Aquariums;
 - (2) “Category One Wild Animal” means, notwithstanding changes in taxonomic nomenclature, any wild animal, gamete or hybrid of any of the following:
 - (A) A member within the family Felidae (including, but not limited to, lion, leopard, cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat) except Bengal cat pursuant to section 26-40a of the Connecticut General Statutes;

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(B) A member within the family Canidae (including, but not limited to, wolf and coyote);
(C) A member within the family Ursidae (including, but not limited to, black bear, grizzly bear and brown bear); or

(D) A member within the family Hominidae (including, but not limited to, gorilla, chimpanzee and orangutan);

(3) “Category Two Wild Animal” means any wild animal, gamete, or hybrid thereof, as follows:

(A) That is not a Category One Wild Animal; and

(B) That is, notwithstanding changes in taxonomic nomenclature:

(i) A species referenced as injurious wildlife in 50 CFR 16.11,

(ii) A member within the family Elephantidae (including, but not limited to, African elephant),

(iii) A member within the order Primate (including, but not limited to, capuchin, macaque, lemur and marmoset),

(iv) Wolverine (*Gulo gulo*),

(v) A member within the family Hyaenidae (including, but not limited to, brown hyaena, spotted hyaena, striped hyaena and aardwolf),

(vi) A member within the genus *Dendrolagus* (including, but not limited to, tree kangaroos),

(vii) A member within the genus *Dorcopsis* (including, but not limited to, dorcopsis and New Guinea forest wallabies),

(viii) A member within the genus *Dorcopsulus* (including, but not limited to, lesser forest wallaby),

(ix) A member within the genus *Lagorchestes* (including, but not limited to, hare-wallabies),

(x) A member within the subgenus *Osphranter* (including, but not limited to, red kangaroo),

(xi) A member within the subgenus *Macropus* (including, but not limited to, gray kangaroo);

(xii) A member within the genus *Onychogalea* (including, but not limited to, nail-tailed wallaby),

(xiii) A member within the genus *Petrogale* (including, but not limited to, rock wallaby),

(xiv) Quokka (*Setonix brachyurus*),

(xv) A member within the genus *Thylogale* (including, but not limited to, pademelons),

(xvi) Swamp wallaby (*Wallabia bicolor*);

(xvii) A member within the family Viveridae (including, but not limited to, civets, genets, binturong, linsangs),

(xviii) A member within the family Herpestidae (including, but not limited to, mongooses, meerkats),

(xix) A member within the family Dasypodidae (including, but not limited to, armadillos),

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- (xx) A member within the family Mephitidae (including, but not limited to, striped skunk),
- (xxi) A member within the family Procyonidae (including, but not limited to, common raccoon),
- (xxii) A member within the suborder Suiformes (including, but not limited to, wild boar, warthog, hippopotamus, and peccary),
- (xxiii) A member within the order Chiroptera (bats),
- (xxiv) A member within the family Rhinocerotidae (rhinoceros),
- (xxv) A member within the order Rodentia, except for guinea pig (*Cavia porcellus*), gerbil (*Meriones unguiculatus*), chinchilla (*Chinchilla lanigera*), rat (*Rattus norvegicus*), mouse (*Mus musculus*), hamster (*Mesocricetus auratus*), dwarf hamster (genera *Phodopus* and *Cricetulus*), Patagonia mara (*Dolichotis patagonum*) and American beaver (*Castor canadensis*),
- (xxvi) Mute swan (*Cygnus olor*),
- (xxvii) Monk parakeet (*Myiopsitta monachus*),
- (xxviii) A member within the order Crocodylia (including, but not limited to, alligator, crocodile and caiman),
- (xxix) A member within the family Elapidae (including, but not limited to, cobra, coral snake, mamba, sea snake and sea krait),
- (xxx) A member within the family Viperidae (including, but not limited to, copperhead, rattlesnake, cottonmouth, adder, viper, pit viper and night adder),
- (xxxii) Northern African python (*Python sebae*), Southern African python (*Python natalensis*), reticulated python (*Python reticulatus*) and amethystine python (*Morelia amethystina*),
- (xxxiii) Green or common anaconda (*Eunectes murinus*), yellow anaconda (*Eunectes notaeus*) and Bolivian anaconda (*Eunectes beniensis*),
- (xxxiv) A member within the genera *Boiga*, *Thelotornis*, *Enhydris*, *Dispholidus*, *Clelia*, *Rhabdophis*, *Hydrodynastes*, *Philodryas* or *Malpolon* (including, but not limited to, mangrove snake, false cobra, cat-eyed snake, false water snake, African boomslang, vine snake, twig snake and bird snake),
- (xxxv) A member within the family Helodermatidae (including, but not limited to, Gila monster and beaded lizard),
- (xxxvi) Nile monitor (*Varanus niloticus*), water monitor (*Varanus salvator*), black-throated monitor (*Varanus a. ionidesi*), white-throated monitor (*Varanus a. albigularis*) or crocodile monitor (*Varanus salvadorii*), or
- (xxxvii) Komodo dragon (*Varanus komodoensis*);
- (4) “Category Three Wild Animal” means any wild animal, gamete, or hybrid thereof, as follows:
- (A) That is not a Category One, Category Two or Category Four Wild Animal; and
- (B) That is, notwithstanding any changes to taxonomic nomenclature:
- (i) A member within the family Cervidae (including, but not limited to the, white-tailed

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deer, elk, red deer and sika),

(ii) American beaver (*Castor canadensis*),

(iii) A member within the family Mustelidae (including, but not limited to, short-tailed weasel, long-tailed weasel, mink, fisher, otter and marten),

(iv) Harbor seal (*Phoca vitulina*),

(v) American black duck (*Anas rubripes*), lesser scaup (*Aythya affinis*), greater scaup (*Aythya marila*), canvasback (*Aythya valisineria*), long-tailed duck (*Clangula hyemalis*), hooded merganser (*Lophodytes cucullatus*), white-winged scoter (*Melanitta fusca*), black scoter (*Melanitta nigra*), surf scoter (*Melanitta perspicillata*) and common merganser (*Mergus merganser*),

(vi) Ruffed grouse (*Bonasa umbellus*),

(vii) Chimney swift (*Chaetura pelagica*) and ruby-throated hummingbird (*Archilochus colubris*),

(viii) Spotted sandpiper (*Actitis macularius*), sanderling (*Calidris alba*), semipalmated sandpiper (*Calidris pusilla*), willet (*Tringa semipalmata*), American woodcock (*Scolopax minor*), ruddy turnstone (*Arenaria interpres*) and black skimmer (*Rynchops niger*),

(ix) Great blue heron (*Ardea herodias*), green heron (*Butorides virescens*) and black-crowned night-heron (*Nycticorax nycticorax*),

(x) Belted kingfisher (*Ceryle alcyon*),

(xi) Yellow-billed cuckoo (*Coccyzus americanus*) and black-billed cuckoo (*Coccyzus erythrophthalmus*),

(xii) Cooper's hawk (*Accipiter cooperii*), northern goshawk (*Accipiter gentilis*), red-shouldered hawk (*Buteo lineatus*), osprey (*Pandion haliaetus*) and rough-legged hawk (*Buteo lagopus*),

(xiii) Red-throated loon (*Gavia stellata*),

(xiv) Virginia rail (*Rallus limicola*), clapper rail (*Rallus longirostris*) and sora (*Porzana carolina*),

(xv) Baltimore oriole (*Icterus galbula*) and orchard oriole (*Icterus spurius*),

(xvi) Brown creeper (*Certhia Americana*),

(xvii) Purple finch (*Carpodacus purpureus*),

(xviii) Rose-breasted grosbeak (*Pheucticus ludovicianus*),

(xix) Gray catbird (*Dumetella carolinensis*),

(xx) Red-breasted nuthatch (*Sitta canadensis*),

(xxi) Cliff swallow (*Petrochelidon pyrrhonota*), bank swallow (*Riparia riparia*) and northern rough-winged swallow (*Stelgidopteryx serripennis*),

(xxii) Scarlet tanager (*Piranga olivacea*),

(xxiii) Veery (*Catharus fuscescens*), hermit thrush (*Catharus guttatus*), gray-cheeked thrush (*Catharus minimus*), Swainson's thrush (*Catharus ustulatus*) and wood thrush (*Hylocichla mustelina*),

(xxiv) Blue-gray gnatcatcher (*Polioptila caerulea*),

(xxv) Golden-crowned kinglet (*Regulus satrapa*),

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(xxvi) Louisiana waterthrush (*Seiurus motacilla*), northern waterthrush (*Seiurus noveboracensis*), black-throated blue warbler (*Dendroica caerulescens*), bay-breasted warbler (*Dendroica castanea*), cerulean warbler (*Dendroica cerulea*), yellow-rumped warbler (*Dendroica coronata*), prairie warbler (*Dendroica discolor*), blackburnian warbler (*Dendroica fusca*), magnolia warbler (*Dendroica magnolia*), chestnut-sided warbler (*Dendroica pensylvanica*), Cape May warbler (*Dendroica tigrina*), black-throated green warbler (*Dendroica virens*), worm-eating warbler (*Helmitheros vermivorum*), black-and-white warbler (*Mniotilta varia*), ovenbird (*Seiurus aurocapilla*), American redstart (*Setophaga ruticilla*), blue-winged warbler (*Vermivora pinus*), Canada warbler (*Wilsonia canadensis*) and hooded warbler (*Wilsonia citrina*),

(xxvii) Dark-eyed junco (*Junco hyemalis*), eastern towhee (*Pipilo erythrophthalmus*), field sparrow (*Spizella pusilla*) and indigo bunting (*Passerina cyanea*),

(xxviii) Olive-sided flycatcher (*Contopus cooperi*), eastern wood-pewee (*Contopus virens*), least flycatcher (*Empidonax minimus*), willow flycatcher (*Empidonax traillii*), acadian flycatcher (*Empidonax virescens*), great crested flycatcher (*Myiarchus crinitus*) and eastern kingbird (*Tyrannus tyrannus*),

(xxix) Yellow-throated vireo (*Vireo flavifrons*), warbling vireo (*Vireo gilvus*), white-eyed vireo (*Vireo griseus*) and blue-headed vireo (*Vireo solitarius*),

(xxx) Marsh wren (*Cistothorus palustris*) and winter wren (*Troglodytes troglodytes*),

(xxxi) Great cormorant (*Phalacrocorax carbo*),

(xxxii) Northern flicker (*Colaptes auratus*) and pileated woodpecker (*Dryocopus pileatus*),

(xxxiii) Horned grebe (*Podiceps auritus*) and red-necked grebe (*Podiceps grisegena*),

(xxxiv) Great horned owl (*Bubo virginianus*), snowy owl (*Bubo scandiacus*), eastern screech owl (*Megascops asio*) and barred owl (*Strix varia*),

(xxxv) Spotted turtle (*Clemmys guttata*),

(xxxvi) Eastern racer (*Coluber constrictor*),

(xxxvii) Diamond-backed terrapin (*Malaclemys terrapin*),

(xxxviii) Fowler's toad (*Bufo fowleri*),

(xxxix) Northern dusky salamander (*Desmognathus fuscus*),

(xl) Gray treefrog (*Hyla versicolor*),

(xli) Eastern newt (*Notophthalmus viridescens*), or

(xlii) Wood frog (*Rana sylvatica*);

(5) "Category Four Wild Animal" means any wild animal or gamete thereof listed as endangered, threatened, or of special concern pursuant to section 26-306 of the Connecticut General Statutes;

(6) "Commissioner" means Commissioner of Energy and Environmental Protection

(7) "Domestic animal" means any animal that humans have selectively bred in captivity to produce genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes such animal unique and distinguishable from wild individuals of the species, and that has been raised in a life intimately associated

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with and advantageous to humans. “Domestic animal” does not include any wild animal raised in captivity, even over many generations, that has become accustomed to human interaction but that is still wild by nature;

(8) “Exhibitor” means a person or organization engaged in the showing, displaying, exhibiting or training of wild animals for the purpose of public viewing, and who meets the requirements of subsection (f) of this section;

(9) “Exhibitor registered with the United States Department of Agriculture” means an exhibitor who holds a Class C (“exhibitor’s”) license issued by the United States Department of Agriculture pursuant to the Animal Welfare Act (7 USC 54), and who holds a copy of the last inspection report signed and dated by the United States Department of Agriculture;

(10) “Hybrid” means any animal or egg that results from the combining of a gamete of a wild animal with a gamete of another species;

(11) “Import” or “importation” means bringing or causing to be transported into the state wild animals or eggs of such wild animals by any means;

(12) “Marine mammal park” means a facility accredited by the Alliance of Marine Mammal Parks and Aquariums;

(13) “Municipal park” means a facility publicly owned and operated by a municipality, and that is in the practice of displaying wild animals for public viewing;

(14) “Museum” or “Nature center” means an institution devoted to the procurement, care, study, and public display of wild animals and that meets the requirements of subsection (e) of these regulations;

(15) “Passive Integrated Transponder Tag” means a computer microchip attached to a wire antenna and encapsulated in a biologically inert glass capsule which, when passed through the electromagnetic field of a detector, transmits a unique identification code to the detector;

(16) “Public nonprofit aquarium” means an aquarium that is publically held and that has been issued a federal Determination Letter of exemption under section 501(c)(3) or (13) of the Internal Revenue Code;

(17) “Research facility” or “Laboratory” means a facility maintained by a scientific or educational institution with documented works that relate to branches of systemized knowledge including, but not limited to, zoology, botany, ecology, wildlife management, fisheries management, medicine, psychology or veterinary medicine;

(18) “Research facility registered with the United States Department of Agriculture” or “Laboratory registered with the United States Department of Agriculture” means a research facility or laboratory that holds a Class C (“exhibitor’s”) license issued by the United States Department of Agriculture pursuant to the Animal Welfare Act (7 USC 54) and that holds a copy of the last inspection report signed and dated by the United States Department of Agriculture;

(19) “School” means kindergarten and grades one to twelve, inclusive;

(20) “Veterinarian” means a person licensed to practice veterinary medicine, surgery or dentistry pursuant to the provisions of chapter 384 of the Connecticut General Statutes;

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(21) “Wild animal” means any bird, mammal, reptile, amphibian, or invertebrate that is, or historically has been found, in the wild or in the wild state, and that is not otherwise a domestic animal; and

(22) “Zoo” means a facility accredited by the Association of Zoos and Aquariums or the Zoological Association of America.

(b) Prohibitions and Exemptions.

(1) No person, except a municipal park, zoo, public nonprofit aquarium, nature center, museum, exhibitor licensed or registered with the United States Department of Agriculture, laboratory registered with the United States Department of Agriculture, or research facility registered with the United States Department of Agriculture, shall import or possess any Category One Wild Animal.

(2) A person authorized to import or possess a Category One Wild Animal as provided in subdivision (1) of this subsection shall not allow such animal to be accessible for handling by the general public.

(3) No person, except a veterinarian for purposes of treatment and care, a municipal park, zoo, marine mammal park, aquarium, nature center, museum, exhibitor, laboratory or research facility, shall import or possess any Category Two Wild Animal.

(4) No person, except a municipal park, zoo, marine mammal park, aquarium, nature center, museum, exhibitor, laboratory, research facility or school, or any person otherwise authorized pursuant to section 26-40, 26-54, 26-57 or 26-67e of the Connecticut General Statutes, shall import or export any Category Three Wild Animal.

(5) No person shall import or possess any Category Four Wild Animal unless such person has been issued a permit pursuant to subsection (d) of this section.

(6) No person shall liberate any wild animal except as provided pursuant to sections 26-48, 26-48a, 26-49, 26-51, 26-52, 26-54, 26-60 or 26-67e of the Connecticut General Statutes, or subsection (d) of this section.

(7) A primate that weighs less than thirty-five pounds at maturity and that was legally possessed by a person in this state on or before October 1, 2003 may continue to be possessed by such person provided such person complies with the provisions of subsection (c) of this section.

(c) Registration and Transfer of Primates.

(1) Registration. A primate that weighs less than thirty-five pounds at maturity and that was legally possessed by a person in this state on or before October 1, 2003 may continue to be possessed by such person provided such person registers such primate in accordance with the provisions of this subdivision. Such registration shall include proof of legal possession prior to October 1, 2003, a detailed physical description and photographs of such primate, and descriptions and photographs of the enclosure in which such primate is kept. All required information shall be submitted on or before December 31, 2012 on forms provided by the Department of Energy and Environmental Protection. A registrant shall:

(A) Keep and handle a registered primate in such a manner as to prevent the possibility of loss, breeding with other animals, or injuring persons or other animals;

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(B) Maintain a plan for the recapture or destruction of any such registered primate in the event of loss;

(C) Immediately notify the Department of Energy and Environmental Protection and the local law enforcement agency in the event such registered primate is lost or injures a person or other animal;

(D) Maintain a plan for the maintenance or disposition of such registered primate in the event of the owner or keeper's absence, illness, or death;

(E) Maintain complete and accurate records that identify:

(i) The species, sex, age, and lineage of such registered primate,

(ii) Date of birth and acquisition of such registered primate,

(iii) If applicable, the name and address of any person who has previously possessed such primate and date of transfer, and

(iv) The date of the death, loss or transfer to another person of such registered primate;

(F) If required by the commissioner, uniquely identify such primate with a passive integrated transponder tag administered by a veterinarian;

(G) Not breed or liberate a primate registered pursuant to this subdivision; and

(H) Maintain the records required pursuant to this subdivision in chronological order, for a minimum of five years after the date of death, loss, or transfer of such registered primate and make such records available for inspection at any reasonable time upon request of the commissioner or the commissioner's designee.

(2) Such registered primate may be transferred to another individual provided that the recipient has and maintains an adequate enclosure that prevents the possibility of loss or breeding with other animals, the transfer is registered with the Department of Energy and Environmental Protection, and the transferee meets all requirements set forth in this subsection.

(3) Registered primates may be transferred to a municipal park, zoo, marine mammal park, aquarium, nature center, museum, exhibitor, laboratory or research facility, provided the transfer is registered with the Department of Energy and Environmental Protection.

(4) The registrant shall immediately notify the Department of Energy and Environmental Protection upon the death of a registered primate.

(5) The registrant shall update the Department of Energy and Environmental Protection concerning the status of such registered primate when requested by the commissioner.

(6) Upon adequate notice, the registrant shall allow a representative of the Department of Energy and Environmental Protection to inspect such registered primate and the enclosure in which such primate is kept.

(d) Permit Duration and Revocation.

(1) The commissioner may, upon receipt of an application, issue a permit authorizing the importation and possession of a Category Four Wild Animal, as follows:

(A) The duration of an importation or possession permit shall be for the life of the specific wild animal listed on the permit;

(B) An importation and possession permit is not transferable; and

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(C) The commissioner may at any time revoke, in accordance with the provisions of the Uniform Administrative Procedure Act, an importation or possession permit for failure by the permittee to comply with the terms of a permit or any statute or regulation governing importation or possession of wild animals.

(2) The commissioner may, upon receipt of an application, issue a permit authorizing the liberation of wild animals. The commissioner may prescribe the location and time of year such liberation may occur.

(e) **Museums and Nature Centers.** In order to qualify for the exemptions provided in subsection (b) of this section, the operator of a museum or nature center shall meet the following minimum requirements:

(1) For purposes of importing or possessing mammals, holds a Class C (“exhibitor’s”) license issued by the United States Department of Agriculture pursuant to the Animal Welfare Act (7 USC 54), and a copy of the last inspection report signed and dated by the United States Department of Agriculture;

(2) Holds municipal, state, or federal permits or licenses required to possess wild animals;

(3) Complies with all applicable laws of the municipality in which the housing facility is located;

(4) Accommodates a minimum of 5,000 visitors to the facility annually;

(5) Has regularly scheduled hours open to the public consisting of a minimum of 28 hours per week, and eight months within a calendar year;

(6) Maintains the wild animal under conditions that give the owner or keeper exclusive control over it at all times as to prevent loss or risk of injury to the public;

(7) Maintains a housing facility consistent with design standards established pursuant to the United States Animal Welfare Act (7 USC 54) and complies with state and local health and building codes;

(8) Maintains liability insurance of a least \$1 million;

(9) Maintains a plan for the recapture or destruction of any such wild animal in the event of loss;

(10) Maintains a plan for the maintenance or disposition of all wild animals in the event of the owner or keeper’s absence, illness, or death;

(11) Maintains complete and accurate records for each wild animal in its possession which identify:

(A) The species, sex, age, and lineage of each wild animal;

(B) Date of birth and acquisition of each wild animal;

(C) If applicable, the name and address of any person who has previously possessed the wild animal and date of transfer; and

(D) The date of the death, loss or transfer to another person of each wild animal; and

Maintains records required by this subsection in chronological order, for a minimum of five years after the date of death, loss, or transfer of any wild animal and makes such records available for inspection at any reasonable time upon request of the commissioner or the

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commissioner's designee.

(f) **Exhibitors.** In order to qualify for the exemptions provided in subsection (b) of this section, an exhibitor shall meet the following minimum requirements:

(1) For purposes of importing or possessing mammals, holds a Class C ("exhibitor's") license issued by the United States Department of Agriculture pursuant to the Animal Welfare Act (7 USC 54), and a copy of the last inspection report signed and dated by the United States Department of Agriculture;

(2) Holds all municipal, state, or federal permits or licenses required to possess wild animals;

(3) Complies with all applicable laws of the municipality in which the housing facility is located;

(4) Has conducted public programs involving the exhibition of the wild animals subject to this section and in the exhibitor's possession, and maintains documentation thereof. Such public programs shall meet the following criteria:

(A) Fifty programs or before 1,000 attendees within the first two years of possession of a Category One or Two Wild Animal, or, in the case of mammals, attaining a Class C license as described in subdivision (1) of this subsection; and

(B) Fifty programs or before 1,000 attendees in the third year of possession of a Category One or Two Wild Animal, or, in the case of mammals, attaining a Class C license, as described in subdivision (1) of this subsection, and in each calendar year thereafter;

(5) Maintains the wild animal under conditions that give the owner or keeper exclusive control over them at all times as to prevent loss or risk of injury to the public;

(6) Maintains a housing facility consistent with the design standards established pursuant to the United States Animal Welfare Act (7 USC 54) and compliant with state and local health and building codes;

(7) Maintains liability insurance of a least \$1 million;

(8) Maintains a plan for the recapture or destruction of any such wild animal in the event of loss;

(9) Maintains a plan for the maintenance or disposition of all wild animals in the event of the owner or keeper's absence, illness, or death;

(10) Maintains documentation to verify a minimum of one year of practical husbandry or a minimum of 300 hours of formalized training or apprenticeship in the care, feeding, handling and husbandry of the species to be possessed or of another species that is substantially similar to the species to be possessed in size, characteristics, care and nutritional requirements. A Bachelor of Science or higher degree in a relevant biological science, obtained at an accredited institution of higher learning, may be substituted for 150 hours of apprenticeship. Documentation shall consist of:

(A) A description of the specific experience acquired;

(B) The date and time the experience was obtained and the specific locations where acquired; and

(C) A minimum of two references from a professional organization or governmental

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institution such as a university, zoological association, or federal agency;

(11) Has not been convicted of violating wild animal laws or regulations of any state, the federal government or other country pertaining to the importation, possession, liberation, or welfare of wild animals;

(12) Maintains complete and accurate records for each wild animal in its possession which identify:

(A) The species, sex, age, and lineage of each wild animal;

(B) Date of birth and acquisition;

(C) If applicable, the name and address of any person who has previously possessed the wild animal and date of transfer; and

(D) The date of the death, loss or transfer to another person of each wild animal; and

(13) Maintain records required by this subsection in chronological order, for a minimum of five years after the date of death, loss, or transfer of any wild animal and shall make such records available for inspection at any reasonable time upon request of the commissioner or the commissioner's designee.

(g) **Notification Requirement.** Any person possessing a Category One or Two Wild Animal who loses such wild animal shall notify the Department of Energy and Environmental Protection upon becoming aware of the loss.

(h) **Disease Reporting and Prevention.**

(1) Any person who possesses a wild animal showing any symptoms of illness within six weeks of the importation of such wild animal shall, not later than twenty-four hours after recognition of such symptoms, file a report with the commissioner on a form prescribed by the commissioner. The commissioner may require that any wild animal imported into the state that shows symptoms of illness or disease be quarantined for a period of time to be determined by the commissioner.

(2) Any person who possesses a wild animal that continues to show symptoms of illness or disease during the quarantine period described in subdivision (1) of this subsection shall immediately have such animal taken to a licensed veterinarian for examination, or if the animal is dead, shall have such animal taken to an animal disease laboratory, or such other laboratory designated by the commissioner, for examination. Such person shall request that a copy of the animal disease laboratory's, or other laboratory's, findings be sent to the Department of Energy and Environmental Protection and the Department of Agriculture.

(Effective March 5, 2012)