



☒ North Carolina Wildlife Resources Commission ☒

Gordon Myers, Executive Director

Date: October 12, 2012
To: Colonel Dale Caveny
From: Gordon Myers *GM*
Subject: Placement of peanut products in the vicinity of black bears

This memo shall serve as guidance for interpretation of certain peanut products relative to the definition of "processed food products" and the prohibition on taking black bears with the use and aid of bait.

N.C.G.S. § 113-291.1 (b) (2) stipulates "...No black bear may be taken with the use or aid of any salt, salt lick, grain, fruit, honey, sugar-based material, animal parts or products, or other bait.." and N.C.G.S. § 113-294 (r) prohibits the placement of "processed food products" as bait in any area of the State where the Wildlife Resources Commission has set an open season for taking black bears. This law defines "processed food products" as: "...any food substance or flavoring that has been modified from its raw components by the addition of ingredients or by treatment to modify its chemical composition or form or to enhance its aroma or taste. The term includes substances modified by sugar, honey, syrups, oils, salts, spices, peanut butter, grease, meat, bones, or blood, as well as extracts of such substances. The term also includes sugary products such as candies, pastries, gums, and sugar blocks, as well as extracts of such products."

A number of hunters routinely provide supplemental foods for black bears, including commercially available peanut products. N.C.G.S. § 113-294 (r) provides an exception to the prohibition against taking bears with the use and aid of bait such that it does not apply to the release of dogs in the vicinity of any food source that is not a "processed food product". Therefore, it is necessary to identify specific peanut products that meet this exception.

For the purposes of providing guidance regarding the use of certain peanut products for supplemental feeding of black bears pursuant to N.C.G.S. § 113-294, the following peanut products, as they are generally referred to by the peanut industry, shall not be considered "processed food products":

1. Raw peanuts- "in-shell"
2. Raw peanuts- "shelled"

This memo is not intended to indicate that all other peanut products should be considered processed foods. Other products should be examined on a case-by-case basis. As always, we must rely upon the application of good field judgment to ensure that gaining compliance aligns with statutory intent.

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