15A NCAC 10B .0405 is proposed for readoption with substantive changes as follows:

**15A NCAC 10B .0405  FUR DEALERS**

(a) It is unlawful for any fur dealer licensed or otherwise authorized to deal in furs in this State, or any person or agent acting in his behalf, to buy or accept delivery from any person the carcass or pelt of any fox taken within the State which has not been previously affixed with a tag provided by the North Carolina Wildlife Resources Commission as required by this Section.

(b) It is unlawful for any fur dealer to import into this State the carcass or pelt of any otter or bobcat which has not been previously affixed with a tag required and supplied by the State in which the animal was taken. It is unlawful for any fur dealer, or agent of a fur dealer, to import into this State or to accept delivery of a carcass or pelt of any fox from a source located in any other state which does not by law or regulation require tagging of such carcasses or pelts, or a carcass or pelt of any fox which has not been tagged in accordance with the tagging requirements of the state from which it is imported, unless documentation of the date and hour of the arrival of such carcass or pelt at such fur dealer’s place of business is available for inspection and such carcass or pelt is affixed with a fur tag provided by the North Carolina Wildlife Resources Commission within seven days after the date and hour of such arrival. No such carcass or pelt shall be resold or removed from such fur dealer’s place of business without having been tagged as required by this Section. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(c) Any fur dealer or agent of a fur dealer authorized to do business in this State may import and accept delivery in this State of the carcass or pelt of any bobcat, otter or fox which has been affixed with a tag when and as required by the laws or regulations of the state from which such carcass or pelt is imported. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(d) Except as provided by Paragraph (b) of this Rule, it is unlawful for any fur dealer licensed to do business in this State to have in possession the carcass or pelt of any bobcat, otter or fox which has not been affixed with a fur tag provided by the North Carolina Wildlife Resources Commission or a tag required by the laws or regulations of the state from which the same was imported. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(e) Each fur dealer licensed to do business in this State shall maintain records of all acquisitions of carcasses and pelts of beaver, bobcat, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel, and foxes. Such records shall consist of receipts, copies of receipts, or other written evidence of the transactions showing the sources and numbers of acquisition. Each fur dealer shall provide the Wildlife Resources Commission with monthly reports, made on forms supplied by the Commission, summarizing all acquisitions of carcasses and pelts of such animals, except those which have been acquired from and reported by other fur dealers licensed by the State. The reports shall include all such acquisitions made during each month beginning with October and ending with March of the following year; shall distinguish between acquisitions made within the State and those made from without the State; and, if acquired from within the State, shall indicate the counties in which the animals were taken. The report covering each month shall be mailed or delivered to the Commission on or before the 15th day of the next succeeding month. The records required
by this Paragraph and the inventory of carcasses and pelts on hand shall be made available for inspection by any
officer or representative of the Wildlife Resources Commission upon request at all reasonable times. In the case of
nonresident fur dealers licensed to do business in this State, the records and reports required by this Paragraph apply
only to carcasses or pelts of animals acquired from within this State, and no reports are required from nonresident fur
dealers who acquire pelts only from other fur dealers licensed in the State.

(a) Any individual wanting to engage in the business of buying or selling fur-bearing animals or other wild animals
that may lawfully be sold, as specified in G.S. 113-273(f), shall first obtain a fur dealer license from the Commission.

(b) Application for a fur dealer license shall be made online at www.ncwildlife.org or at the Commission headquarters
located at 1751 Varsity Drive, Raleigh, NC 27606. Information required from the applicant shall include:

1. the applicant’s name, address, telephone number, date of birth; and
2. a list of all employees to be covered under the license.

(c) The fur dealer license shall not be transferable.

(d) Any individual working on behalf of the licensed fur dealer shall have a copy of the fur dealer’s current license.

(e) It is unlawful for any fur dealer, or person acting on his or her behalf, to import, buy, or accept delivery of a carcass
or pelt of any fur-bearing animal or other wild animal from a source located in any other state that has not been affixed
with a tag in accordance with the tagging requirements of the state from which the animal was taken, unless
documentation of the date and hour of the arrival of such carcass or pelt at the fur dealer's place of business is available
for inspection

(f) Imported carcasses and pelts shall not be resold or removed from a fur dealer's place of business without having
been tagged as required by Paragraph (e) of this Rule.

(g) Except as provided by Paragraph (e) of this Rule, it is unlawful for any licensed fur dealer to have in his or her
possession, the carcass or pelt of any bobcat, otter or fox which has not been affixed with a fur tag provided by the
Commission unless the fox was taken from a county exempt from fox tagging requirements.

(h) Licensed fur dealers shall maintain records of all acquisitions of carcasses and pelts of beaver, bobcat, coyote,
mink, muskrat, nutria, opossum, otter, raccoon, striped skunk, spotted skunk, weasel, and foxes. Such records shall
consist of receipts, copies of receipts, or other written evidence of the transactions showing the sources and numbers
of acquisition.

(i) Monthly reports shall be submitted to the Commission on or before the 15th day of the succeeding month on forms
supplied by the Commission at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive,
Raleigh, NC 27606-2576. Reports shall include the following:

1. all acquisitions of carcasses and pelts, except those which have been acquired from and reported by
other fur dealers licensed by the State;
2. all acquisitions made during each month beginning with October and ending with March of the
following year;
3. distinction between acquisitions made within the State and those made from outside the State;
   and
4. counties in which the animals were taken if within the State.
In the case of nonresident fur dealers licensed to do business in this State, the records and reports required by this Paragraph apply only to carcasses or pelts of animals acquired from within this State, and no reports are required from nonresident fur dealers who acquire pelts only from other fur dealers licensed in the State.

(i) The records required by Paragraph (i) of this Rule and the inventory of carcasses and pelts on hand shall be made available for inspection by representatives of the Commission upon request or during the fur dealer’s business hours.

(f) The tagging requirements of Paragraph (a) of Rule .0402 of this Section and of Paragraphs (b) and (d) of this Rule do not apply to the pelts or furs of foxes that are imported into this State by a fur dealer operating under a valid North Carolina Fur-Dealer Station License at a fixed place of business or to such pelts or furs delivered to the place of business of such fur dealer by a seller from another state provided that the following conditions are satisfied:

1. the nonresident seller is a licensed fur dealer in the state from which the pelts or furs originated;
2. the resident dealer has available for inspection a dated, signed bill of sale indicating the precise number of green pelts and dry pelts of fox purchased in each lot of imported fur, the name, address, and fur dealer license number of the seller, and the date of arrival of the lot of pelts at the licensed place of business;
3. imported green pelts of fox are kept separate from the green pelts of native fox during processing and are readily identifiable as to imported lot number and bill of sale;
4. imported dry pelts of fox are not batched with native dry pelts of fox unless such pelts are marked in a manner that readily identifies them as to imported lot number and bill of sale;
5. such imported, untagged pelts of fox are imported, processed, and stored only for sale and export to buyers in other states; and
6. such imported, untagged pelts of fox are not held on the premises for longer than 21 days from the date of arrival without having been tagged as required by Rule .0402(a) of this Section.

History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.3; 113-291.4; 50 C.F.R. 23; 87 Stat. 884; Eff. November 14, 1978;

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