

**RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE**

**CHAPTER 40-13  
ANIMAL HEALTH DIVISION**

**SUBJECT 40-13-17  
DEER FARMING**

**TABLE OF CONTENTS**

40-13-17-.01	Authority and Applicability
40-13-17-.02	Definitions
40-13-17-.03	Licensing
40-13-17-.04	Inspections
40-13-17-.05	Operational Requirements
40-13-17-.06	Health and Transportation
40-13-17-.07	Recordkeeping
40-13-17-.08	Administration and Enforcement

#### **40-13-17-.01 Authority and Applicability**

- (1) **Authority.** The Commissioner of Agriculture is authorized to promulgate rules and regulations as may be necessary to provide for the production of farmed deer as an agricultural operation and to provide for the importation, production, and control and eradication of disease in farmed deer. This Subject is designed to ensure the health and safety of wildlife and to prevent the spread of animal diseases between wildlife, wild animals, domestic animals, farmed deer, and people.
  - (a) This Subject has been promulgated after consultation with the Georgia Department of Natural Resources.
- (2) **Applicability.** This Subject does not apply to:
  - (a) Persons or facilities holding farmed deer species for purposes other than an agricultural operation that raises and produces farmed deer for the commercial production of food or fiber; or
  - (b) Persons or facilities holding any animal that would otherwise qualify as a farmed deer but is intentionally commingled with any species that is classified as and subject to regulation as a wild animal under the provisions of Chapter 5 of Title 27 of the Official Code of Georgia Annotated.
- (3) If any provision of this Subject is declared invalid or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of this Subject or the applicability thereof to other persons or circumstances shall not be affected thereby.

**Authority: O.C.G.A. § 4-4-170 et seq.**

#### **40-13-17-.02 Definitions**

- (1) **Definitions.** All terms used in this paragraph shall be interpreted in accordance with definitions set forth in Article 5 of Chapter 4 of Title 4 of the Official Code of Georgia Annotated:
  - (a) “Act” means, for the purposes of this Subject, O.C.G.A. §§ 4-4-170 through 4-4-181.
  - (b) “Applicant” means an applicant for a deer farming license.
  - (c) “Commissioner” means the Georgia Commissioner of Agriculture.
  - (d) “Deer farm” or “deer farming” means the agricultural operation of raising and production of farmed deer for the commercial production of food and fiber.

- (e) “Deer farming license” means a license issued by the Georgia Department of Agriculture pursuant to the Act and this Subject.
- (f) “Department” means the Georgia Department of Agriculture, unless otherwise specified.
- (g) "Farmed deer" means fallow deer (*Dama dama*), axis deer (*Axis axis*), sika deer (*Cervus nippon*), red deer and elk (*Cervus elaphus*), reindeer and caribou (*Rangifer tarandus*), and hybrids between these farmed deer species raised for the commercial sale of meat and other parts or for the sale of live animals. Those cervids which are indigenous to this state, including white-tailed deer, and those members of the order Artiodactyla which are considered to be inherently dangerous to human beings and are described in O.C.G.A. § 27-5-5(a)(1)(F), as amended, shall be classified as unacceptable species and shall not be included within the definition of farmed deer. Deer that may be under the authority of Title 50, Part 23, Subpart c of the Code of Federal Regulations, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 27 U. ST. 108, TIAS 8249, must meet the requirements set forth in the federal Endangered Species Act of 1973, as amended, 16 U.S.C. Section 1531 et seq.
- (h) “Licensee” means a person issued a deer farming license in accordance with the Act and this Subject.
- (i) “Official Animal Identification” means a method approved by the Department for identifying farmed deer in Georgia.
- (j) “Wild animal license” means a license issued by the Georgia Department of Natural Resources pursuant to Chapter 5 of Title 27 of the Official Code of Georgia Annotated.

**Authority: O.C.G.A. § 4-4-170 et seq.**

#### **40-13-17-.03 Licensing**

- (1) **License Required.** No person shall possess, buy, import, or transport farmed deer or engage in or carry on the business of deer farming without first applying for and obtaining a deer farming license from the Department.
- (2) **Application Information.** In addition to other information that may be required by the Department, a deer farming license application shall include:
  - (a) Contact information;
    - 1. A deer farming license application shall include the contact information for the applicant, including:

- (i) The applicant's name;
  - (ii) Mailing address;
  - (iii) Primary point of contact;
  - (iv) Telephone number; and
  - (v) Email address.
- 2. For the applicant's farm manager, if different than the applicant, including:
  - (i) The farm manager's name;
  - (ii) Telephone number; and
  - (iii) Email address.
- 3. If the applicant is a business entity a deer farming license application shall include:
  - (i) The applicant's legal business or trade name, and
  - (ii) The applicant's principal place of business, if different from the proposed deer farm premises.

(b) Location information;

- 1. The proposed deer farm's location information shall include:
  - (i) The National Premises Identification Number or equivalent;
  - (ii) The street address of the proposed deer farm;
  - (iii) GPS coordinates taken at the approximate entrance to the proposed deer farm; and
  - (iv) An aerial map or image of the proposed deer farm premises, including its relation to roads, water sources, and landmarks.

(c) Operational plans for the deer farm;

- 1. Operational plans for the deer farm shall include, but not be limited to:

- (i) Documentation that the applicant's deer farm has or will have the ability to engage in the commercial production of food and fiber within 3 years of initial licensure,
    - (ii) The name and contact information of a veterinarian licensed by the Georgia State Board of Veterinary Medicine and Category II accredited in Georgia through the National Veterinary Accreditation Program (NVAP) who will provide veterinary services to the proposed deer farm,
    - (iii) A list of farmed deer species to be farmed,
    - (iv) The expected number of farmed deer, and
    - (v) The number of acres to be utilized in the deer farm agricultural operation.
  - (d) Any other information requested by the Department; and
  - (e) A statement from the applicant verifying the information provided on the application is true and accurate in all respects and the applicant's signature.
- (3) **Timing.** Applicants may apply for a deer farming license on a rolling basis. A deer farming license will be valid from the date of issuance through March 31 of the following calendar year.
- (a) **Renewals.** Prior to the date of expiration, a licensee may renew a deer farming license provided the applicant for renewal continues to meet the requirements of the Act and this Subject. Any person whose deer farming license has lapsed will not be eligible for renewal but may apply for a new license.
- (4) **Pre-license Inspection.** The Department will not issue a new deer farming license prior to inspection and approval of the deer farm by the Georgia Department of Natural Resources.
- (a) The Department will transmit a copy of each deer farming license application to the Georgia Department of Natural Resources within 72 hours of its completion.
  - (b) Within 30 days of the receipt of an otherwise completed deer farming license application, the Georgia Department of Natural Resources will inspect the applicant's facilities for compliance with the Act and report all findings to the Department.
  - (c) The Department will not renew any deer farming license when that deer farm has implemented a facility expansion, unless the deer farm has been reinspected and reapproved by the Georgia Department of Natural Resources.

1. Only the premises, acres, and facilities identified in the license application for use in the deer farm, and approved during the pre-license inspection, may be utilized for the deer farm. Any alternative, additional, or expanded location, acreage, or facility, which a licensee seeks to utilize in the deer farm, must be approved and inspected by the Georgia Department of Natural Resources prior to use, whether as part of a new license application or renewal.
- (5) **Non-Commercial Production.** The Department will not grant a deer farming license to any person holding or intending to hold farmed deer species for any purpose other than raising and producing farmed deer for the commercial production of food or fiber. Farmed deer species held for any other purpose must be held pursuant to a wild animal license.
- (6) **Revocation/Denial.** The Department will notify the Georgia Department of Natural Resources of the revocation, nonrenewal, cancellation, or lapse of any deer farming license. All such notifications will be made in writing and will be made as promptly as possible, but in no event will such notification be given more than 72 hours after the event giving rise to the requirement of notice.

**Authority: O.C.G.A. §§ 4-4-1 et. seq. and 4-4-170 et seq.**

#### **40-13-17-.04 Inspections**

- (1) **Right to Inspect.** Licensees and applicants for deer farming licenses shall allow entry onto the deer farm for representatives of the Department, the Georgia Department of Natural Resources, and any other departments or agencies having authority or duties involving farmed deer or wild animals to ensure compliance with applicable federal and state laws.
  - (a) The Department will inspect licensees' facilities for compliance with the Act and this Subject. The Department will transmit a copy of each inspection conducted pursuant to the Act and this Subject to the Georgia Department of Natural Resources.
  - (b) It shall be unlawful for any person to obstruct, interfere, or hinder the Commissioner or the Commissioner's designated agents or employees in the lawful discharge of their official duties pursuant to this Subject.

**Authority: O.C.G.A. § 4-4-170 et seq.**

#### **40-13-17-.05 Operational Requirements**

- (1) **General.** Licensees must ensure that deer farm facilities meet the following general requirements:

- (a) Facilities must be constructed of such material and of such strength as appropriate for the animals involved;
- (b) Housing and handling facilities shall be structurally sound and shall be maintained in good repair to protect and contain the animals;
- (c) The facilities shall be designed in such manner to safeguard both the animals and the public against injury or the transmission of diseases by direct contact, including the addition of barriers of sufficient dimensions and conformation; and
- (d) The applicant or licensee shall ensure the removal of all white-tailed deer from inside the fence containing the farmed deer consistent with GA. Comp. R. & Regs. r. 391-4-2-.18.

(2) **Shelter.** Licensees shall provide:

- (a) Natural or artificial shelter appropriate to the local climatic conditions for the species concerned for all farmed deer kept outdoors to afford them protection and to prevent the discomfort of such animals. Individual farmed deer shall be acclimated before they are exposed to the extremes of the local climate.

(3) **Fencing.** Licensees shall:

- (a) Provide fencing sufficient to prevent escape of farmed deer and to prevent white-tailed deer from entering;
- (b) Surround any portion of such facility within which farmed deer are maintained with a fence that is a minimum height of eight (8) feet with the bottom six (6) feet made of woven mesh;
  - 1. Supplemental wire used to attain a height of eight feet may be smooth, barbed, or woven wire with strands no more than six (6) inches apart.
  - 2. The minimum size of wire used may be no less than 12.5 gauge in diameter.
- (c) Keep fencing properly tensioned to prevent sagging or to allow for the escape of housed animals; and
- (d) Ensure that the bottom strand of fencing reaches ground level for the total perimeter of the premises.

(4) **Fence posts.** Licensees must use fence posts that meet the following requirements:

- (a) Fence posts shall consist of metal T-posts, treated 4/4 posts, 6-inch treated round posts, or equivalent posts;

- (b) Fencing must be properly attached to posts via barbed staples or other fasteners approved for use by the Department;
  - (c) Posts must be spaced at a 20-foot maximum interval for T-posts or 30-foot maximum interval for rigid posts;
  - (d) Brace, corner and line posts must be buried to a depth that firmly and permanently stabilizes fencing infrastructure and maintains adequate tension on wire. Posts must be maintained in good repair; and
  - (e) Water courses, gullies, ditches, and the like must be properly fenced to prevent the escape of housed animals. Rigid posts must be set at the lowest points of dips and on crowns of humps.
- (5) **Gates.** The gates utilized at a Licensee's deer farm must meet the following requirements:
- (a) Gates must be of sufficient strength and construction for deer and cervids;
  - (b) Gates must not provide for gaps that could allow housed animals to escape;
  - (c) All gate latches must be lockable and functional; and
  - (d) Licensees must regularly monitor fencing for potential threats to the fencing's structural integrity, such as overhanging tree branches, dead trees, or structures that are likely to cause damage to the fencing, resulting in a breach.
- (6) **Feeding.** Licensees shall:
- (a) Provide food to farmed deer that is wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health;
  - (b) Ensure food and food receptacles, if used, shall be sufficient in quantity and located so as to be accessible to all animals in the enclosure and shall be placed so as to minimize contamination;
  - (c) Keep food receptacles clean and sanitary at all times; and
  - (d) Ensure that if self-feeders are used, adequate measures are taken to prevent molding, contamination, and deterioration or caking of food.
- (7) **Watering.** Licensees shall:



- (a) Ensure farmed deer have access to potable water at all times or otherwise provide potable water to farmed deer as often as necessary for the health and comfort of the animals; and
    - 1. Unless stagnant, streams, creeks, and ponds, whether natural or manmade, may constitute an acceptable source of potable water for farmed deer when available.
  - (b) Keep artificial receptacles, such as tanks, troughs, and tubs, clean and sanitary.
- (8) **Separation.** Licensees shall not house farmed deer near animals that interfere with their health or cause discomfort.
- (9) **Veterinary Care.** Licensees shall:
  - (a) Consult with a veterinarian licensed by the Georgia State Board of Veterinary Medicine and Category II accredited in Georgia through the NVAP for disease prevention, parasite control, humane euthanasia, adequate veterinary care, and equipment suitable for use in facilitating disease testing and monitoring; and
  - (b) Provide prompt veterinary care or humane euthanasia to sick, diseased, stressed, injured, or lame farmed deer.
- (10) **Other Facilities and Equipment.** Licensees must keep on site quarantine facilities that are properly maintained to prevent and control disease in deer herds.
- (11) **Dead Animal Disposal.**
  - (a) Licensees must comply with the requirements of the Georgia Dead Animal Disposal Act, O.C.G.A. § 4-5-1 et seq. and the Rules promulgated pursuant thereto, GA. Comp. R. & Regs. r. 40-13-5-.01 et seq.
- (12) **Escaped Farmed Deer.**
  - (a) Any farmed deer which escapes from a licensed deer farm shall be subject to the jurisdiction of the Georgia Department of Natural Resources.
  - (b) Escaped farmed deer may be treated as an escaped wild animal, subject to the provisions of Chapter 5 of Title 27.
  - (c) Licensees shall have 48 hours from the time the escape of a farmed deer is detected to recapture such animal and return it to the licensed deer farm.
  - (d) As a condition for maintaining a deer farming license, it shall be the duty of the owner or operator of a licensed deer farm to notify the Department and the

Georgia Department of Natural Resources immediately upon discovery of the escape of a farmed deer.

1. When such notice has been given, no legal hunter shall be held liable for killing or wounding an escaped farmed deer.

**(13) Release of farmed deer.**

- (a) It shall be unlawful for any person intentionally to release a farmed deer from captivity or to import, transport, sell, transfer, or possess a farmed deer in such a manner as to cause its release or escape from captivity.
- (b) If a person imports, transports, sells, transfers, or possesses a farmed deer in such a manner as to pose a reasonable possibility that such farmed deer may be released accidentally or escape from captivity, the Department may revoke the license of such person.

**Authority: O.C.G.A. § 4-4-170, et seq.**

**40-13-17-.06 Health and Transportation Requirements**

- (1) **Federal Requirements.** Licensees must ensure that those animals used or intended to be used for deer farming meet the requirements of the Uniform Methods and Rules of the Code of Federal Regulations for Tuberculosis and Brucellosis in Cervidae.
- (2) **State Requirements.** Licensees must ensure that those animals used or intended to be used for deer farming meet the following Georgia health and transportation requirements:
  - (a) The requirements of GA. Comp. R. & Regs. r. 40-13-2-.13 governing the interstate movement of cervids;
  - (b) The requirements of GA. Comp. R. & Regs. r. 40-13-3-.07 governing the intrastate movement of cervids; and
  - (c) The requirements of GA. Comp. R. & Regs. r. 40-13-4-.16 governing chronic wasting disease controls.

**Authority: O.C.G.A. § 4-4-170, et seq.**

**40-13-17-.07 Recordkeeping**

- (1) **Inventory Records.** Licensees must maintain accurate inventory records of their deer herds, including natural additions, purchased additions, sales, and deaths.

(a) Inventory records for farmed deer must include the following:

1. Species;
2. Official Animal Identification number;
3. Tag color;
4. Whether the animal was re-tagged;
5. Additional Identification number or Management Identification number;
6. Sex;
7. Year of birth; and
8. Whether the animal was born on the farm.

(b) Inventory records for re-tagged farmed deer must also include the following:

1. Previous Official Animal Identification number; and
2. Previous Additional ID number or Management ID number.

(2) **Mortality Records.** Licensees must maintain mortality records of their deer herds, which must include the following:

- (a) Official Animal Identification number;
- (b) Additional ID number or Management ID number;
- (c) Age;
- (d) Sex;
- (e) Species;
- (f) Date deceased;
- (g) Cause of mortality;
- (h) Method of disposal; and
- (i) CWD testing results in accordance with GA. Comp. R. & Regs. r. 40-13-4-.16.

(3) **Consistency.** Inventory records must be consistent with birth and mortality summaries.

(4) **Inspection of Records.** All records shall be kept on premises and are subject to review by the Commissioner or the Commissioner's designated agents or employees.

(5) **Retention Period.** These records must be maintained for a period of 60 months and must be made available to the Commissioner or the Commissioner's designated agents or employees upon request.

**Authority: O.C.G.A. § 4-4-170, et seq.**

#### **40-13-17-.08 Administration and Enforcement**

(1) **Penalties Generally.** Penalties provided herein shall be concurrent, alternative, or cumulative with any and all other civil, criminal, or alternative rights, remedies, forfeitures, or penalties provided, allowed, or available to the Commissioner.

(2) **Criminal Penalties.** Any person or legal entity violating this Subject shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by law.

(3) **Revocation, Cancellation, or Suspension of License.**

(a) The deer farming license of any licensee violating this Subject may be subject to revocation, cancellation, or suspension following notice and hearing.

(b) The deer farming license of any licensee whose facility does not meet the definition of an agricultural operation will be revoked.

(c) A deer farming license may be revoked if the licensee violates any provision of Title 27 of the Official Code of Georgia Annotated, relating to wild animals.

(d) The owner of any farmed deer must dispose of such animals within 45 days of revocation of their deer farming license in a manner consistent with GA. Comp. R. & Regs. r. 40-13-5-.02, and which has been approved by the Department.

(4) **Monetary Penalties.** The Commissioner may issue an administrative order imposing a penalty not to exceed \$1,000.00 for each violation of this Subject whenever the Commissioner, after opportunity for a hearing, determines that any person has violated this Subject or any quarantines or orders of the Commissioner.

(5) **Injunctive Relief.** The Commissioner is authorized to apply for an injunction restraining any person from violating or continuing to violate any of this Subject or for failing or refusing to comply with this Subject.

**Authority: O.C.G.A. § 4-4-170, et seq.**