

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

CHRONIC WASTING DISEASE – CERVID PARTS
IMPORTATION BAN #10

EXECUTIVE ORDER

WHEREAS, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the family Cervidae (deer, elk or moose, and other susceptible species, collectively called cervids); and

WHEREAS, The specific cause of CWD is believed to be prions (abnormal infectious protein particles) that are known to be concentrated in the nervous system and lymphoid tissues of infected cervids; and

WHEREAS, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

WHEREAS, CWD has been designated a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (3 Pa.C.S.§§ 2301 *et seq.*) at 3 Pa.C.S.§ 2321(d); and

WHEREAS, CWD is known to be transmissible from infected to uninfected cervids by contact with or ingestion of CWD-infected or contaminated cervid parts or materials; and

WHEREAS, CWD is of particular concern to the Commonwealth of Pennsylvania because it has the potential to have a detrimental impact on both Pennsylvania’s wild and captive cervid populations; and

WHEREAS, the Pennsylvania Game Commission (PGC) has determined that importation of potentially infectious parts or materials from cervids harvested in CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania poses an unacceptable risk of further exposure of CWD to the state; and

WHEREAS, The Game and Wildlife Code (Code)(34 Pa.C.S. §§ 101 *et seq.*) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 *et seq.*) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

WHEREAS, 58 Pa. Code § 137.34 provides specific emergency authority to the Executive Director of the PGC to ban the importation of certain cervid parts from other states or nations to prevent the introduction or spread of CWD into the Commonwealth of Pennsylvania; and

WHEREAS, Previous executive orders concerning cervid parts importation restrictions were issued by the Commission on December 19, 2005, May 27, 2009, July 30, 2010, July 20, 2011, October 16, 2012, May 12, 2014, October 27, 2015, November 11, 2015 and July 22, 2016.

NOW THEREFORE, I, R. Matthew Hough, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. The importation of any high-risk parts or materials from cervids harvested in any CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania is hereby strictly prohibited.

2. For the purposes of this Order, CWD-endemic States or Canadian Provinces shall be defined as any States or Canadian Provinces where CWD has been detected in wild or captive cervid populations. At present, this includes the following specific States and Canadian Provinces: Alberta, Arkansas, Colorado, Illinois, Iowa, Kansas, Maryland (only Allegany and Washington Counties), Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York (only Madison and Oneida Counties), North Dakota, Ohio (only Holmes County), Oklahoma, Saskatchewan, South Dakota, Texas, Utah, Virginia (only Frederick, Shenandoah, Warren, and Clarke Counties), West Virginia (only Hampshire, Hardy and Morgan Counties), Wisconsin, and Wyoming.

3 For the purposes of this Order, the term cervid shall include any member of the family Cervidae (deer), specifically including the following species: black-tailed deer, caribou, elk, fallow deer, moose, mule deer, red deer, sika deer, white-tailed deer, and any hybrids thereof.

4. For the purposes of this Order, high-risk parts or materials shall be defined as any parts or materials, derived from cervids, which are known to accumulate abnormal prions. This includes any of the following:

- a. Head (including brain, tonsils, eyes, and lymph nodes);
- b. Spinal Cord / Backbone (vertebra);
- c. Spleen;
- d. Skull plate with attached antlers, if visible brain or spinal cord material is present;
- e. Cape, if visible brain or spinal cord material is present;
- f. Upper canine teeth, if root structure or other soft material is present;
- g. Any object or article containing visible brain or spinal cord material; and
- h. Brain-tanned hide.

5. This Order shall not be construed to limit the importation of the following cervid parts or materials into the Commonwealth of Pennsylvania:

- a. Meat, without the backbone;
- b. Skull plate with attached antlers, if no visible brain or spinal cord material is present;
- c. Tanned hide or rawhide with no visible brain or spinal cord material present;
- d. Cape, if no visible brain or spinal cord material is present;
- e. Upper canine teeth, if no root structure or other soft material is present; and
- f. Taxidermy mounts, if no visible brain or spinal cord material is present.

6. The requirements and restrictions of this Order are to be construed as separate from and in addition to any previous or future Executive Orders concerning response to CWD within the Commonwealth or the Establishment of Disease Management Area 2 Permits.

7. This Order shall not be construed in any manner to limit the PGC's authority to establish additional importation, exportation, possession, transportation or testing requirements on cervid parts or materials.

8. Nothing in this Order shall be construed to extend to the regulation of captive cervids held under 3 Pa.C.S. Chapter 27 (relating to the Domestic Animal Law) or the requirements of a lawful quarantine order issued by PDA.

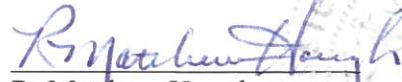
9. The previous executive order concerning cervid parts importation restrictions issued on July 22, 2016 is hereby rescinded in its entirety and replaced by this Order.

10. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 23rd day of
September, 2016.

Attest:


James A. Gange



R. Matthew Hough
Executive Director

