



DATE: May 2, 2025

ACTION: Notice of Intent to Adopt Deer Farming Rules

TO ALL INTERESTED PERSONS AND PARTIES:

Pursuant to the Official Code of Georgia Annotated, O.C.G.A. § 50-13-4 and § 4-4-177, notice is hereby given that the Georgia Department of Agriculture (the “Department”) will be accepting written comments regarding the proposed adoption of GA. Comp. R. & Regs. r. 40-13-17-.01 through 40-13-17-.08 (the “Deer Farming Rules”). The Department will be accepting written comments from May 2, 2025, to close of business (4:30 p.m. ET) on June 1, 2025.

SYNOPSIS AND MAIN FEATURES:

Synopsis:

Statement of Purpose.

The Department is proposing to adopt the Deer Farming Rules in order to provide for the production of farmed deer as an agricultural operation and to prevent the spread of animal diseases between wildlife, wild animals, domestic animals, farmed deer, and people.

Rule 40-13-17-.01 Authority and Applicability:

The proposed rule:

- Explains the authority of the Commissioner of Agriculture to promulgate these rules, and that these rules have been promulgated after consultation with the Georgia Department of Natural Resources. Rule 40-13-17-.01(1).
- Provides that these rules do not apply to persons or facilities holding farmed deer for purposes other than an agricultural operation; nor do they apply to persons or facilities holding any animal that would otherwise qualify as 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. Rule 40-13-17-.01(2).
- Explains the continuing applicability of the remainder of the Subject if any provision is declared invalid or the applicability thereof to any person or circumstances is held invalid. Rule 40-13-17-.01(3).

Rule 40-13-17-.02 Definitions:

The proposed rule provides definitions for key terms.

Rule 40-13-17-.03 Licensing:

The proposed rule:

- Requires that a person obtain a license from the Department in order to possess, buy, import, or transport farmed deer or engage in the business of deer farming. Rule 40-13-17-.03(1).
- Provides the information to be included in a deer farming license application. Rule 40-13-17.03(2).
- Provides the timing for submitting an application for a deer farming license and an application for renewal of a deer farming license. Rule 40-13-17-.03(3).
- Explains the requirement for the Department to conduct an inspection of an applicant's facilities prior to issuing a new deer farming license, or prior to renewing a deer farming license after a license holder has implemented a facility expansion. Rule 40-13-17-.03(4).
- Explains the circumstances under which the Department would not grant a person a deer farming license. Rule 40-13-17-.03(5).
- Provides the manner and timing for the Department to notify an applicant or license holder of the revocation, nonrenewal, cancellation, or lapse of a deer farming license. Rule 40-13-17-.03(6).

Rule 40-13-17-.04 Inspections:

The proposed rule explains the Department's right to inspect the facilities of licensees and applicants and declares it unlawful for any person to obstruct, interfere, or hinder the Commissioner or any of the Commissioner's designated agents from carrying out their duties under these rules. Rule 40-13-17-.04(1).

Rule 40-13-17-.05 Operational Requirements:

The proposed rule:

- Provides the general requirements for deer farm facilities. Rule 40-13-17-.05(1).
- Provides the shelter requirement for deer farm facilities. Rule 40-13-17-.05(2).
- Provides the fencing requirements for deer farm facilities. Rule 40-13-17-.05(3).
- Provides the fence post requirements for deer farm facilities. Rule 40-13-17-.05(4).
- Provides the gate requirements for deer farm facilities. Rule 40-13-17-.05(5).

- Provides a licensee's food and feeding obligations for farmed deer. Rule 40-13-17-.05(6).
- Provides a licensee's watering obligations for farmed deer. Rule 40-13-17-.05(7).
- Provides a licensee's obligation to house compatible farmed deer together and to house farmed deer away from animals that interfere with their health or that cause them discomfort. Rule 40-13-17-.05(8).
- Provides a licensee's obligation to establish a written veterinary care program and to provide prompt and appropriate treatment to sick or injured deer. Rule 40-13-17-.05(9).
- Provides that there must be operable, suitable equipment available for use in facilitating disease testing and monitoring on site, as well as properly maintained quarantine facilities. Rule 40-13-17-.05(10).
- Provides the obligation of deer farm operators to 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. Rule 40-13-17-.05(11).
- Provides that the owners of farmed deer are required to notify the Department of Natural Resources in the event that a farmed deer escapes. The rule further provides that an owner must recapture and return the escaped deer to the deer farm within 48 hours of discovering the escape. Rule 40-13-17-.05(12).
- Provides that it is unlawful for any person to intentionally release a farmed deer from captivity or to import, transport, sell, transfer, or possess a farmed deer in such a way as to cause its release or escape from captivity. Rule 40-13-17-.05(13).

Rule 40-13-17-.06 Health and Transportation Requirements:

The proposed rule:

- Provides that farmed deer must meet the requirements of the Uniform Methods and Rules of the Code of Federal Regulations for Tuberculosis and Brucellosis in Cervidae. Rule 40-13-17-.06(1).
- Provides that farmed deer must also meet Georgia health and transportation requirements as laid out in GA. Comp. R. & Regs. r. 40-13-2-.13, GA. Comp. R. & Regs. r. 40-13-3-.07, and GA. Comp. R. & Regs. r. 40-13-4-.16. Rule 40-13-17-.06(2).

Rule 40-13-17-.07 Recordkeeping:

The proposed rule provides the recordkeeping requirements of deer farm operators, including:

- Accurate inventory records of deer herds, including natural additions, purchased additions, sales, and deaths. Rule 40-13-17-.07(1).

- Mortality records of deer herds. Rule 40-13-17-.07(2).
- There must be consistency between inventory records and birth and mortality summaries. Rule 40-13-17-.07(3).
- Records must be kept on premises and available for review by the Commissioner or a Department representative or employee. Rule 40-13-17-.07(4).
- Records must be maintained for a period of 60 months and made available to the Commissioner or his authorized representative upon request. Rule 40-13-17-.07(5).

Rule 40-13-17-.08 Administration and Enforcement:

The proposed rule:

- Explains that the penalties provided for in the rules do not preclude any other civil, criminal, or alternative rights, remedies, forfeitures, or provided, allowed, or available to the Commissioner. Rule 40-13-17-.08(1).
- Provides that a violation of the rules constitutes a misdemeanor. Rule 40-13-17-.08(2).
- Provides the circumstances under which a deer farming license may be revoked, cancelled, or suspended. Rule 40-13-17-.08(3).
- Provides that the Commissioner may issue an administrative order imposing a monetary penalty not exceeding \$1,000.00 per violation of the rules. Rule 40-13-17-.08(4).
- Provides the circumstances under which the Commissioner may apply to the Superior Court for an injunction. Rule 40-13-17-.08(5).

COMMENT PERIOD AND ADDITIONAL INFORMATION:

The Department will be accepting written comments from May 2, 2025, to the close of business (4:30 p.m. ET) on June 1, 2025. The Department will publicly consider these Deer Farming Rules at 2:00 p.m. on Friday, June 6, 2025, at 47 Trinity Avenue, Room G-07, Atlanta, Georgia 30334. Please submit written comments to:

Kevin Gay
Livestock and Poultry Division
Georgia Department of Agriculture
254 Washington Street, SW
Atlanta, Georgia 30334
Telephone Number: (404) 656-4914
E-Mail: gdalp@agr.georgia.gov

Interested persons may call or submit a written request to obtain a copy of the proposed rules. A copy of the synopsis and the proposed rules may be downloaded from the Georgia Department of Agriculture website at www.agr.georgia.gov.

This notice is given in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.