

15A NCAC 10B .0123 LIMITATIONS ON CERTAIN EXOTIC SPECIES

(a) Except as provided in this Rule, it shall be unlawful to import, transport, export, purchase, possess, sell, transfer, or release into public or private waters or lands of the State, any live specimen of:

- (1) Tongueless or African Clawed Frog (*Xenopus* spp.);
- (2) Brown Anole (*Anolis sagrei*);
- (3) Cuban Treefrog (*Osteopilus septentrionalis*);
- (4) Asian Newts (genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton*, *Tylototriton*);
- (5) Red-eared Slider (*Trachemys scripta elegans*);
- (6) Argentine Black and White Tegu (*Salvator merianae* or *Tupinambis merianae*); or
- (7) Greenhouse Frog (*Eleutherodactylus planirostris*).

(b) The North Carolina Wildlife Resources Commission may by permit authorize importation, transportation, exportation, purchase, possession, sale, or transfer of any species in this Rule by the following entities, subject to the specified limitations:

- (1) Retail and Wholesale Establishments. Importation, possession, sale, transfer, transportation, and exportation of these species within North Carolina, by retail and wholesale establishments whose primary business is providing scientific supplies for research, shall be allowed by permit, provided the following conditions are met:
 - (A) the application for a permit shall be in writing and include plans for holding, transportation, advertisement, and sale to allow a determination of the safeguards employed to prevent accidental escape and sales to unauthorized individuals;
 - (B) in-State sale or transfer is allowed only to agencies, entities, and institutions listed in Subparagraph (2) of this Paragraph;
 - (C) exportation shall comply with all applicable rules and regulations of the importing state;
 - (D) all specimens shall be possessed in indoor facilities; and
 - (E) transportation of specimens shall employ safeguards that prevent accidental escape.
- (2) Government Agencies and Research Institutions. Purchase, importation, possession, transfer, transportation, and exportation of these species within North Carolina shall be allowed by permitted State and federal governmental agencies, corporate research entities, and research institutions, provided the following conditions are met:
 - (A) the application for a permit shall be in writing and include plans for holding, transportation, final disposition, and safeguards to prevent accidental escape;
 - (B) exportation shall comply with all applicable rules and regulations of the importing state;
 - (C) all specimens shall be possessed in indoor facilities;
 - (D) transportation of specimens shall employ safeguards that prevent accidental escape; and
 - (E) the agency's, entity's, or institution's Animal Use and Care Committee has approved the research protocol for these species.

(c) Notwithstanding Paragraph (a) of this Rule, it shall be lawful for private individuals in possession of a live specimen of Red-eared Slider (*Trachemys scripta elegans*) prior to August 1, 2018, to retain, transport, transfer, or export the animal in their possession. Notwithstanding Paragraph (a) of this Rule, it shall be lawful for private individuals in possession of a live specimen Argentine Black and White Tegu (*Salvator merianae* and *Tupinambis merianae*) prior to August 1, 2022, to retain, transport, transfer, or export the animal in their possession.

(d) Notwithstanding Paragraph (a) of this Rule, facilities open to the public for education may apply for a permit to collect, receive, and possess any of the species listed in Paragraph (a) of this Rule.

History Note: Authority G.S. 113-134; 113-274; 113-292;
Eff. February 1, 1994;
Amended Eff. August 1, 2018; April 1, 1997;
Readopted Eff. August 1, 2022.