

**RULES
OF
THE TENNESSEE WILDLIFE RESOURCES AGENCY**

**CHAPTER 1660-1-26
RULES AND REGULATIONS FOR FISH FARMING.
CATCH-OUT OPERATIONS, AND BAIT DEALERS**

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1660-1-26-.01 DEFINITIONS AND GENERAL INFORMATION.

- (1) Fish Farming—The business of rearing for sale legal species of fish and other aquatic life, or the selling of legal species of fish and other aquatic life reared in private facilities. Selling may be by direct purchase or by catch-out operations.
- (2) Fish Farm—A tract of land, including associated waters within, with an unbroken exterior boundary where fish farming occurs.
- (3) Catch-Out Operation—The business of making-legal species of fish placed in a pond, tank, or other constructed container available to persons wishing to purchase them after catching them by legal sport fishing methods. Sport fishing licenses are not required of customers, and statewide creel and size limits do not apply. The season is open year-round. A catch-out operation may be located at sites other than a fish farm.
- (4) Bait Dealer—the business of capturing legal species of fish and other aquatic life for the purpose of sale as bait, or the business of selling legal species of fish and other aquatic life for bait.
- (5) Person—“Person” means an individual, association, partnership, or corporation.

Authority: T.C.A. §§70-1-206 and 70-2-221. **Administrative History:** Original rule filed March 30, 1994; effective June 13, 1994.

1660-1-26-.02 RULES – FISH FARMING.

- (1) A Fish Dealer License is required. Upon receiving a completed application and appropriate fee, the TWRA will issue a license to the owner, lessee, or person controlling a fish farm. A separate license is required for each fish farm. A license will not be issued for a facility proposed to be located in public waters.
- (2) Species approved for use are as follows:
 - (a) All native non-game fish species; i.e., channel catfish, blue catfish, fathead minnows, golden shiners, gizzard shad.
 - (b) All native game fish species may be sold live for stocking into private waters.
 - (c) Bream 4” and less may be sold for bait.
 - (d) All species of trout and salmon, and the striped bass (*Morone saxatilis*) x white bass (*Morone chrysops*) hybrid.

(Rule 1660-1-26-.02, continued)

- (e) Triploid (sterile) grass carp.
 - (f) Goldfish
 - (g) Blue tilapia (*Oreochromis aureus*)
 - (h) Nile tilapia (*Oreochromis nilotica*)
 - (i) Mozambique tilapia (*Oreochromis mossambica*)
 - (j) Other species, approved by the Executive Director of the TWRA, may be used as specified in the letter of approval.
- (3) All game fish and other aquatic life other than non-game fish sold, donated, delivered, or otherwise disposed of, must be accompanied by an invoice signed by the licensee or his agent, and such invoices shall be consecutively numbered and must contain the name and location of the fish farm, the date of sale or delivery, and the species and number of fish delivered. The name and address of the person receiving the fish must also appear on the invoice. One copy of the invoice shall be retained by the licensee for a period of one year after issuance, and shall be available for inspection by any representative of the Wildlife Resources Agency at all times. Any person transporting or possessing game fish obtained from a fish farm must have a copy of the invoice on their person.
- (4) A fish farmer shall make his records available for inspection by TWRA personnel. A fish farmer shall make available to TWRA personnel any specimens needed for laboratory analysis.

Authority: T.C.A. §§70-1-206 and 70-2-221. **Administrative History:** Original rule filed March 30, 1994; effective June 13, 1994. Amendment filed January 5, 2001; effective March 22, 2001.

1660-1-26-.03 RULES – CATCH-OUT OPERATION.

- (1) a Fish Dealer License is required. Upon receiving a completed application and appropriate fee, the TWRA will issue a license to the owner, lessee, or person controlling a catch-out operation.
- (2) Species approved for use in catch-out operations are:
- (a) Catfish (all native species)
 - (b) Trout – all species
 - (c) Salmon – all species
 - (d) Common carp, buffalo, and other legally obtained native non-game fish.
- (3) Catch-out facilities must be constructed to prevent the movement of fish into or out of the facility.
- (4) Whenever the owner or operator of any catch-out facility shall sell, donate, deliver or otherwise dispose of any game fish, alive or dressed he shall immediately issue to the person reviewing such fish and invoice signed by him or his agent and such invoice shall be consecutively numbered and must contain the name and location of the catch-out facility, the date of sale or delivery, and the species and number of fish delivered. The name and address of the person receiving the fish must also appear on the invoice. One copy of the invoice shall be retained by the owner or operator of the catch-out facility issuing same for a inspection by any representative of the Wildlife Resources agency at all times. Any person transporting or possessing game fish obtained from a catch-out facility must have a copy of the invoice on their person.

(Rule 1660-1-26-.03, continued)

- (5) A catch-out operator shall make his records available for inspection by TWRA personnel. A catch-out operator shall make available to TWRA personnel any specimens needed for laboratory analysis.

Authority: T.C.A. §§70-1-206 and 70-2-221. **Administrative History:** Original rule filed March 30, 1994; effective June 13, 1994.

1660-1-26-.04 RULES – BAIT DEALER.

- (1) A Fish Dealer License is required of the capturing of approved bait fish and other aquatic life for sale or the selling of bait fish and other aquatic life, whether acquired from the wild or otherwise legally obtained. All proclamations and laws must be followed in procuring bait fish and other aquatic life from the wild and in importing bait fish and other aquatic life.
- (2) The taking and possession of crayfish from Mill Creek and its tributaries in Davidson and Williamson Counties, Tennessee is prohibited.

Authority: T.C.A. §§70-1-206 and 70-2-221. **Administrative History:** Original rule filed March 30, 1994; effective June 13, 1994. Amendment filed January 5, 2001; effective March 22, 2001