

## Tilapia Culture and Live Holding Permit Rules and Regulations

### Title 76 Wildlife and Fisheries Part VII Fish and Other Aquatic Life Chapter 9 Aquaculture – Exotic Species

#### §903. Tilapia

##### A. Rules and Regulations on Importation, Culture, Possession, Disposal and Sale of Tilapia in Louisiana. The following terms shall have the following meanings in this Section.

*Culture*—all activities associated with the propagation and nurturing of tilapia.

*Culture Permittee*—the individual or organization that possesses a valid Louisiana tilapia culture permit.

*Culture System*—shall be an approved indoor system designed such that all water containing, or that at any time might contain, tilapia (adult fish, juvenile fish, fry, or fish eggs) is filtered, screened and/or sterilized in such a manner as the department deems adequate to prevent any possibility of escape from the system.

*Department*—the Louisiana Department of Wildlife and Fisheries or an authorized employee of the department.

*Disposal*—the business of processing, selling, or purposely removing tilapia from the culture system.

*Live Holding Permittee*—the individual or organization that possesses a valid Louisiana tilapia live holding permit.

*Live Holding System*—an approved indoor holding or display system designed such that all water containing, or at any time might contain, tilapia (adult fish, juvenile fish, fry or fish eggs) is filtered, screened and/or sterilized prior to release in such manner as the department deems adequate to prevent any possibility of escape.

*Process*—the act of chill killing whole tilapia in an ice slurry for a period of not less than 60 minutes, or removal of tilapia intestines followed by immersion in an ice slurry for a period of not less than two minutes or removal and proper disposal of tilapia heads in such manner as the department deems necessary to prevent any possibility of accidental release of fry or fertilized eggs.

*Secretary*—the Secretary of the Department of Wildlife and Fisheries.

*Tilapia*—eggs, fish, or body parts belonging to the genera *Tilapia*, *Sarotherdon*, or *Oreochromis* and their hybrids.

*Tilapia Culture Permit*—official document pertaining to culture that identifies the terms of, and allows for the importation, exportation, transport, culture, possession, disposal, transfer and sale of tilapia in Louisiana as approved by the secretary or his designee.

*Tilapia Live Holding Permit*—official document pertaining to live holding for retail sale that identifies the terms of, and allows for the possession and sale of tilapia in Louisiana as approved by the secretary or his designee.

##### B. Tilapia Permit Request Procedures

1. Individuals or organizations wishing to import, export, transport, culture, possess, dispose, transfer or sell live tilapia in Louisiana must first request a tilapia culture or live holding permit from the secretary or his designee of the Department of Wildlife and Fisheries. The following procedures will be necessary.

- a. Applications for permits can be obtained by contacting the:

Administrator, Inland Fisheries Division  
Department of Wildlife and Fisheries  
P.O. Box 98000  
Baton Rouge, LA 70898-9000.

- b. The completed applications should be returned to the same address whereby Inland Fisheries Division personnel will review the application. Department personnel or a department approved contractor, at the applicant's expense, will then make an on-site inspection of the property and culture or live holding system.
- c. After the on-site inspection has been completed, department personnel will make a final determination as to whether the applicant is in full compliance with all rules for a tilapia culture or live holding permit. Department personnel will then recommend to the secretary or his designee if the applicant's request should be approved or disapproved.
- d. The secretary or his designee will notify the applicant, in writing, as to whether or not the permit has been granted and if not, why. In the event of disapproval, applicants may reapply after correcting specified deficiencies noted in the secretary's or his designee's letter of denial.

### **C. Rules on Transport of Live Tilapia**

1. The department shall be notified in writing at least 24 hours prior to shipments of live tilapia from one Louisiana culture permit holder to another Louisiana culture permit holder or live holders within the state or shipments out-of-state on a form provided by the department. Notification shall include Louisiana tilapia culture permit number, route, date and time(s) of transport, destination, owner of transport vehicle, total number of each species, permit number of resident tilapia culturer or live holder, and a copy or reference to electrophoretic certification of shipped stock by species. Anyone possessing live tilapia within the state must have a tilapia culture or live holding permit. Live tilapia showing signs of diseases shall not be transported into or within the state of Louisiana.
2. For each occurrence of tilapia being imported into Louisiana from out of state to a permitted resident culturer or live holder, the permittee must obtain, in writing, approval from the department. Procedures and necessary information for obtaining approval are:

- a. requests shall be made to:

Administrator, Inland Fisheries Division  
Louisiana Department of Wildlife and Fisheries  
P.O. Box 98000  
Baton Rouge, LA 70898-9000;

- b. requests shall include:

- i. Louisiana tilapia permit number, or a copy of the permit;
- ii. route of transport;
- iii. date of transport;
- iv. time(s) of transport;
- v. destination;
- vi. owner of transport vehicle;
- vii. electrophoretic certification made within the past 30 days identifying shipped stock(s) to species;
- viii. total number of each species;
- ix. identification of seller and buyer.

3. A bill of lading must accompany the live tilapia during import, export, transport, transfer or sale and shall include:
  - a. copy of the permittee's written approval as described in LAC 76:VII.903.C.2. above;
  - b. date and approximate time of shipment;
  - c. route of shipment;
  - d. source of tilapia (culture facility);
  - e. name, address and phone number of seller;
  - f. name, address and phone number of buyer;
  - g. identification and certification as to species;
  - h. total number of each species;
  - i. destination;
  - j. letter from source stating that tilapia are not showing signs of diseases;
  - k. display the word "TILAPIA" prominently on at least two sides of the vehicle or hauling tank with letters that are no less than 6 inches high.

**D. Rules for Security of Tilapia Culture or Live Holding Facility**

1. Applicant must demonstrate to the satisfaction of department officials that adequate security measures are in place at the culture facility that will guard against vandalism and theft of tilapia.
2. Any changes or modification of a permitted security system must first have the approval of department officials.
3. The department will have just cause to revoke a tilapia permit for lapses in security if:
  - a. the permittee is found to be in noncompliance with Paragraphs 1 and 2 above;
  - b. the permittee is determined to be derelict in maintaining the security measures that were approved for the permit;
  - c. failure to take appropriate measures when vandalism, theft, or accidental release of fish occurs.
4. It shall be the responsibility of the permittee to immediately notify the secretary or his designee of any tilapia that leave the facility for any reason other than those specifically identified and allowed for under their current permit, including but not limited to accidental releases, theft, etc.
5. It shall be the responsibility of the permittee to have at least one individual who is familiar with the culture system readily available for emergencies, inspections, etc.

**E. Rules of Tilapia Culture and Live Holding Site**

1. A legal description of the tilapia culture facility site that shows ownership must be submitted along with the permit request.
2. The applicant must agree to allow department officials or a department approved contractor, at the applicant's expense, to conduct unannounced random inspections of the transport vehicle, property, culture system or live holding system, and fish. Department officials may request other officials to accompany them during these inspections. Additionally, those individuals performing these inspections may remove or take fish samples for analysis and/or inspection.

3. All aspects of the tilapia culture facility must be at least 1 foot above the 100-year flood elevation. Additionally, the department may require a surface hydrological assessment of the proposed site at permittee's expense.
4. The department will require a live holding contingency plan for disposal of live tilapia in the event of impending flooding or other natural disasters.

#### **F. Rules for the Tilapia Culture and Live Holding System**

1. Applicant must provide a detailed narrative description, including scale drawings, of the tilapia culture or live holding system.
2. The tilapia culture or live holding system shall be an approved indoor system designed such that tilapia eggs, larvae, juveniles or adults cannot escape.
3. All water utilized in the culture or live holding of tilapia shall be accounted for and shall be filtered, screened, and/or sterilized prior to leaving the culture or live holding system and the permittee's property in such a manner as the department deems adequate to prevent any possibility of escape from the system.
4. All aspects of the tilapia culture or live holding system and processing shall be completely enclosed so that predation from birds, mammals, amphibians, and reptiles is precluded.
5. A means to dispose of tilapia through chlorination, desiccation, or other appropriate methods, in the event of an emergency must be included as a component of any department-approved live-holding system.
6. One or more persons responsible for the operation of the live holding system must demonstrate to the department's satisfaction a basic knowledge and understanding of the culture, biology, and potential local ecological impacts of tilapia.

#### **G. Rules for the Processing of Tilapia**

1. All tilapia and tilapia parts other than live tilapia specifically permitted by the department must be properly processed and killed prior to leaving the tilapia culture or live holding facility.
2. All tilapia, other than live tilapia specifically permitted by the department, being brought into the state from without the state must be dead.
3. Records shall be kept of all tilapia processed at a culture or live holding facility and shall include the following information:
  - a. source of fish;
  - b. processed pounds;
  - c. date processed.

#### **H. General Rules for Tilapia**

1. The cost of a tilapia culture or live holding permit shall be \$50, plus the actual cost of the on-site inspection. Qualified universities conducting research approved by the department shall be exempt from the fee charge.
2. In order for the permit to be valid, the following license is required as a prerequisite:
  - a. a fish farming license for tilapia culturers;
  - b. a retail dealer's license for live holders.
3. Permits are valid for 12 months.

4. Permits are not transferable from person to person, or property to property.
5. Live tilapia, may be sold within the state only to a holder of a valid tilapia culture or live holding permit. A tilapia culture permit shall be required for the possession or transport of tilapia eggs, fry or juveniles.
6. No person may release live tilapia, fish or eggs, into the waters of Louisiana (whether public or private) without the written approval of the secretary.
7. Permittee must agree to collect and provide an adequate number of tilapia to the department or a department-approved contractor upon request for identification and analysis, at the permittee's expense.
8. Only those persons or organizations with valid tilapia permits may propagate, culture or possess the following species and/or hybrids produced from their crosses.

<i>Tilapia aurea</i>	<i>Tilapia nilotica</i>
<i>Tilapia mossambica</i>	<i>Tilapia hornorum</i>

9. Tilapia culturers shall be required to submit an annual report to the secretary or his designee on a form provided by the department.
10. The department may employ whatever means it deems necessary to prevent the release or escapement of tilapia or their eggs into the environment. The permittee shall agree to reimburse the department for all costs including, but not limited to, man hours and materials utilized during corrective actions.
11. The department shall be overseer of all escape incidents and may implement or require to be implemented whatever measures deemed necessary to contain, kill or recapture fish. The permittee shall agree to reimburse Wildlife and Fisheries for all department costs including, but not limited to, man hours and materials utilized during these corrective actions. In order to assure the secretary that the permittee will fulfill their financial obligations, the tilapia culturer shall, at the option of the department, post a \$25,000 performance bond, or present a letter of credit from a financial institution stating that the \$25,000 is available to the department on a certificate of deposit. Tilapia live holder permittees will be required to post a \$10,000 performance bond, or present a letter of credit from a financial institution stating that the \$10,000 is available to the department on a certificate of deposit.
12. If a permittee terminates tilapia production or live holding, the permittee shall notify the secretary or his designee immediately and dispose of the tilapia according to methods approved by the department.
13. In addition to all other legal remedies, including provisions of R.S. 56:319.E, failure to comply with any of the provisions herein shall be just cause to immediately suspend and/or revoke the permittee's permit. All tilapia shall be destroyed at permittee's expense under the department's supervision within 30 days of permit revocation.
14. Any permittee allegedly in violation of the above rules has a right to make a written response of the alleged violation(s) to the secretary requesting a hearing to review the alleged violation(s) within five days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:318 and R.S. 56:319.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 17:804 (August 1991), amended LR 20:1022 (September 1994), LR 21:594 (June 1995), LR 25:1987 (October 1999).