



**MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS
LAW ENFORCEMENT BUREAU
SAM POLLES, PH.D.
EXECUTIVE DIRECTOR**

December 16, 2019

DeSoto Co. BoS/Waste Pro
Ray Laughter, SW Dir
365 Loshier Street, Ste 300
Hernando, MS 38632

Re: Importation/ Exportation and Transportation of Cervid Carcasses in Mississippi

Dear Sir or Madam:

In January of 2018, wildlife biologists from the Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP), collected biological samples from a dead white-tailed deer that, when tested, came back positive for cervid spongiform encephalopathy or Chronic Wasting Disease (CWD). This disease is the cervid (or deer) form of mad cow disease. A response plan was implemented and statewide efforts to detect CWD-infected animals was launched. Since then, several other CWD-positive deer have been identified.

The reason we are contacting your company is that we understand that as part of your waste disposal operations, you may accept deer carcasses from deer processors who simply place the carcasses in a dumpster, that your company may service. The carcasses then make their way, with the rest of the trash, to a landfill where they are eventually compressed and buried. Research shows that prions survive in an infected animal's carcass and can eventually enter the soil when the rest of the carcass decays. This is the reason that Mississippi, and many of our surrounding neighbor states, have enacted statutes or rules prohibiting the transportation - whether importation or exportation - across state lines, or outside of defined CWD Management Zones of cervid (deer) carcasses. Mississippi's rule prohibiting cervid carcass importation, exportation and transportation may be found at 40 Miss. ADMIN. CODE, Part 2, Rule 2.7 (copy enclosed).

In addition, the Federal Lacey Act, 16 U.S.C. §§ 3371-3378, provides that, "it is unlawful to **import, export**, sell, acquire, or purchase fish, wildlife or plants that are taken, possessed, transported, or sold: 1) in violation of U.S. or Indian law, or 2) *in interstate or foreign commerce involving any fish, wildlife, or plants taken possessed or sold in violation of State or foreign law.*" [emphasis added]. That means, cervid carcasses that are transported across state lines for ultimate disposal, may constitute a violation of the Lacey Act, which is a Federal offense.

During the course of our investigations to determine the source of CWD-infected deer in Mississippi, it has come to our attention that there are several landfills located in the northern part of Mississippi, which take waste from waste collection/disposal businesses that operate across the

state line in an adjoining state. As you can surmise, it is highly possible that a waste collection disposal operation, that collects waste from a deer processor in one state, might transport that same waste to a landfill in the adjoining state, as it does with all other waste from that collection area. Transporting these carcasses across state lines for disposal may subject the waste collector to criminal liability for a violation or violations of the Lacey Act.

Please review your collection and disposal operations in, and bordering, the State of Mississippi to determine if you may be collecting deer carcasses. Controlling the movement of deer carcasses may help us stem the spread of CWD.

Please let us know if we may be of any assistance to you in this endeavor. Sincerely,

A handwritten signature in black ink, appearing to read "Steve Adcock". The signature is fluid and cursive, with a long horizontal stroke at the end.

Colonel Steve Adcock
Chief of Law Enforcement

Cc: Executive Director

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, AND PARKS
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Title 40: Wildlife, Fisheries, and Parks

Part 2: Wildlife

Part 2, Chapter 2: White-tailed Deer

RULE 2.7 PROHIBITION ON CERVID CARCASS IMPORTATION/EXPORTATION TO PROTECT MISSISSIPPI FROM CHRONIC WASTING DISEASE.

A. For the purpose of this rule, cervids include any member of the Cervidae family, including white-tailed deer, elk, moose, red deer, sika deer, fallow deer, mule deer and caribou.

B. It is unlawful to:

1. Import, transport, or possess any portion of a cervid carcass originating from any state, territory, or foreign country.

2. Transport any portion of a cervid carcass outside of an MDWFP-defined CWD Management Zone.

3. Transport any portion of a cervid carcass outside of an MDWFP-defined CWD Management Zone from Arkansas or Louisiana lands east of the Mississippi River that lie within that zone.

4. Export, carry, move, transport, or otherwise cause any portion of a cervid carcass originating from inside the State of Mississippi, and inside of an MDWFP-defined CWD Management Zone, across, over, or into any state, territory, or foreign country, outside the boundaries of the State of Mississippi.

C. This rule does not apply to:

1. Meat from cervids that has been completely deboned.

2. Antlers, antlers attached to cleaned skull plates or cleaned skulls where no tissue is attached to the skull.

3. Cleaned teeth.

4. Finished taxidermy and antler products.

5. Hides and tanned products.

6. Any portions of white-tailed deer originating from land outside of an MDWFP-defined CWD Management Zone between the Mississippi River levees in Arkansas and Louisiana.

History: Revised August 2019.

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, 49-7-58, and 49-7-58.2.