

## GREAT LAKES LAW ENFORCEMENT COMMITTEE POSITION STATEMENT

On

### Need for Regulatory Language Defining “Dead Fish”

The Great Lakes Fishery Commission’s Law Enforcement Committee (LAW) recognizes that:

- Bighead Carp, Silver Carp and Black Carp are listed as injurious species under the U.S. Lacey Act (16U.S.C. 3371-3378), making it unlawful to transport live specimens across state borders,
- Live Bighead Carp, Silver Carp and Black Carp are being transported unlawfully across state and national borders into the Province of Ontario.
- Bighead Carp, Silver Carp and Black Carp may remain alive even after hauling tanks are de-watered, and
- Ambiguity about the definition of “dead fish” impedes law enforcement proceedings.

Given the commitment of federal, provincial, state and tribal enforcement agencies in the Great Lakes to effectively apply regulations regarding the transport of Bighead Carp, Silver Carp and Black Carp, and to minimize the potential ecological damage to the Great Lakes by invasive fishes, the LAW urges the Province of Ontario and Great Lakes States to adopt clear and unambiguous definition of “dead fish”.

Specifically, the Great Lakes Fishery Commission’s Law Enforcement Committee recommends that jurisdictions adopt and promulgate a regulation such as:

It shall be unlawful for any person or entity to possess, import or sell individuals of the species of Bighead Carp (*Hypophthalmichthys nobilis*), Silver Carp (*Hypophthalmichthys molitrix*) or Black Carp (*Mylopharyngodon piceus*) unless they are dead and eviscerated.

For the purpose of this regulation, eviscerated shall be defined as:

**In a condition where the abdominal viscera are completely removed.**

For the purpose of this regulation, viscera shall be defined as:

**The organs within the cavities of the body of an organism.**