

As of January 4, 2023

Arkansas Game and Fish Commission

Code Book

The regulations in this Code Book are hereby adopted by the Arkansas State Game and Fish Commission under authority of Amendment 35 to the Constitution of the State of Arkansas. All laws, rules, regulations, or orders in conflict with the regulations in this Code Book are hereby repealed by the Arkansas State Game and Fish Commission.

**35.09 Possession, Rearing, Propagation, Or Sale Of
Conditional And Unlisted Aquaculture Species
Prohibited**

It is unlawful for fish farmers, fish dealers, or independent live haulers to possess, rear, transport, or sell aquaculture species/eggs not listed on the Approved Aquatic Species List (Addendum Chapter [J1.00](#)) without a Conditional Species Possession Permit or an Unlisted Species Possession Permit from the Arkansas Game and Fish Commission Chief of Fisheries. See Addendum [J1.01](#) for species, permitting process, and reporting requirements; Addendum Chapters [I1.00](#) and [V1.00](#) for aquaculture species health requirements.

EXCEPTIONS:

- A. Resident fish farmers, state and federal culture facilities, and research/educational/public aquaria facilities, possessing a valid Conditional and/or Unlisted Species Permit may propagate those species.
- B. If not otherwise prohibited, a properly permitted fish farmer may sell native crayfish that naturally colonize in their aquaculture facilities and must list as a species on a resident fish farm permit.
- C. Marine and tropical fish commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed systems and not otherwise prohibited. Any live release of these species is unlawful.
- D. Fish Farmer permittees may depredate or relocate aquatic turtles impacting commercial fish production from their facility without an additional permit but may not sell or offer for sale those aquatic turtles from their aquaculture facilities unless they possess a valid Aquatic Turtle Harvest Permit in compliance with Code Chapter [34.00](#).
- E. Accidental inclusion of aquatic species native to Arkansas, comprising 5% or less (by number) of an otherwise legal shipment of live aquaculture organisms, will be exempt from prosecution provided the included species are not otherwise prohibited.

PENALTY: Class 2