

Part 3, Chapter 3: Regulations regarding commercial fishing.

RULE 3.2 REGULATIONS REGARDING THE COMMERCIAL HARVEST OF PADDLEFISH AND PADDLEFISH EGGS.

A. The following rules, regulations and required licenses and permits relative to commercial harvest of the American Paddlefish (spoon bill catfish) and possession of any Paddlefish (*Polyodon spathula*) or Bowfin, (*Amia calva*) eggs are hereby adopted.

B. The following rules, regulations and required licenses and permits do not pertain to persons engaged in sport fishing.

C. Persons permitted in another state to harvest Paddlefish accessing reciprocal border waters from their respective border state may transport their catch into and through Mississippi but no other rights are granted to them that are not specified in this rule.

D. Bowfin can be taken by persons with a Commercial Fishing License. No other permits are required to harvest Bowfin.

E. Definitions:

1. Paddlefish Harvester – Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2), who possesses a valid Paddlefish Harvester Permit that allows such person to fish for, attempt to take, possess, and transport Paddlefish to a Paddlefish Processor for documentation of harvest, after which the sale and processing including the removal of eggs may take place.

2. Paddlefish Helper – Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2), who possesses a valid Paddlefish Helper Permit who assists a person with a Paddlefish Harvester Permit with the fishing for, attempting to take, and taking of Paddlefish. A Paddlefish Harvester Permit can substitute for a Paddlefish Helper permit when assisting another Paddlefish Harvester who has an appropriate Paddlefish Harvest Zone Authorization Card.

3. Paddlefish Processor – Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2) who possesses a valid Paddlefish Processor Permit and has a contract with MDWFP which allows him to purchase, attempt to purchase, barter for, process, sell, ship, import, and export Paddlefish, Bowfin ,Paddlefish eggs or Bowfin eggs. The Paddlefish Processor shall document the Paddlefish harvest of the Paddlefish Harvester from whom he/she receives, acquires, and or purchases Paddlefish.

4. Paddlefish Processing Agent – Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2) who possesses a valid Paddlefish Processing Agent Permit to assist the Paddlefish Processor in his contractual duties with MDWFP. The Paddlefish Processing Agent can document the Paddlefish harvest of Paddlefish Harvesters from whom the Paddlefish Processing Agent receives Paddlefish for transport to a

processing facility. The Paddlefish Processing Agent can also supervise the operation and activities at a processing facility.

5. Paddlefish Harvest Zone Authorization Card – means a card issued by the MDWFP which authorizes a Paddlefish Harvester to fish for and harvest Paddlefish in the specific waters and dates listed on that card. The Paddlefish Harvest Zone Authorization Card must be carried on the person of the Paddlefish Harvester at all times when they are fishing for or harvesting Paddlefish in that zone.

6. Documented Paddlefish – A Paddlefish legally harvested by a Paddlefish Harvester that has been tagged, the date of harvest, the harvest location, and tag number, has been recorded by the Paddlefish Harvester on a Paddlefish Transaction Form prior to transporting the fish to a Paddlefish Processor or a Paddlefish Processing Agent. Upon exchanging the fish with either a Paddlefish Processor or a Paddlefish Processing Agent, documentation shall include eye to tail fork length, sex and weight of egg sacs. Copies of the original Paddlefish Transaction Form are acceptable for use.

7. Sell or Exchange or Transaction means the transfer of possession of whole Paddlefish, Paddlefish parts, and Paddlefish eggs from a Paddlefish Harvester to a Paddlefish Processor.

8. Mutilation means cutting, puncturing, tearing or disfiguring the body portion of a Paddlefish in any way not otherwise permitted.

9. Paddlefish Labeling means that the containers or packages containing all Paddlefish products shall be identified by a lot number that lists the MDWFP Paddlefish tag number of the fish from which the product came from. Products packaged for consumption or sale shall have a label listing the product is “A Product of Mississippi, USA” and the label shall state one of the following as appropriate to the source of the product “Wild Paddlefish Eggs or Caviar”; Wild Bowfin Eggs or Caviar”; or “Wild Paddlefish Flesh”.

10. Paddlefish Net – Gear legal for the harvest of Paddlefish during the Paddlefish Egg Harvest Season described as follows:

a. The Paddlefish net shall be a multi-filament net with mesh of six (6) inches or larger in square measure from knot to knot.

b. The Paddlefish net shall be marked by a floating orange colored buoy that has the Paddlefish Harvester’s MDWFP number on the buoy in black letters at least ¼ inch in height. The Paddlefish net shall have attached to it both the buoy and a Commercial Fishing Equipment Tag.

11. Paddlefish Egg Harvest Season – September 1st through March 31st of each calendar year when Paddlefish have eggs suitable for producing caviar. Paddlefish Harvest for eggs is only legal on Paddlefish Harvest Zones as specified in 40 Mississippi Administrative Code Part 3 Rule 3.4.

12. Paddlefish Summer Harvest Season – May 1st through August 31st of each calendar year.

F. Paddlefish Tagging.

1. All harvested Paddlefish must be tagged with a MDWFP issued numbered tag.
2. An MDWFP Paddlefish tag shall be attached to the dorsal fin of each Paddlefish at the time of harvest (removal from a net and retained) .This tag must remain on all Paddlefish including blocked Paddlefish until the flesh is paced for retail sale, at which time the packaged flesh must be labeling according to the Paddlefish Labeling definition.

G. Paddlefish Harvest:

1. The immediate release of dead Paddlefish does not constitute take unless Paddlefish were removed and released from nets that have not been checked or run at least once within any 24 hour period.
2. During the Paddlefish Egg Harvest Season, persons having a Paddlefish Harvester Permit shall document all Paddlefish harvested with a Paddlefish Processor or a Paddlefish Agent, and can only sell to or exchange Paddlefish eggs and Bowfin eggs with a Paddlefish Processor or a Paddlefish Agent working for a Paddlefish Processor.

H. Penalty for Violations.

1. Violation of any of the Mississippi state laws or this rule (40 Mississippi Administrative Code Part 3, Rule 3.2) pertaining to Paddlefish will be considered a Class I offense as specified in MISS. CODE ANN. §Section 49-7-90, and punishable as per the provisions of MISS. CODE ANN. §49-7-141.
 - a. The unlawful possession of any dark colored eggs, similar to that of Paddlefish, including Bowfin eggs, shall be considered to be Paddlefish eggs, until proven by violator as otherwise.
 - b. Items in J3, K2 and K3 that do not directly apply to Paddlefish are Class III violations.
2. Failure to submit or the falsification of any required Paddlefish information submitted to the MDWFP as specified in 40 Miss. Administrative Code Part 3 Rule 3.5 (Paddlefish Reporting) may result in the revocation of Paddlefish Harvester, Paddlefish Harvester Helper, Paddlefish Processor and Paddlefish Processor Agent Permits.

I. Paddlefish Harvest During the Egg Harvest Season --Unlawful Acts

1. It shall be unlawful for any person without a resident Mississippi Commercial Fishing License and a Paddlefish Harvester Permit to fish for, attempt to take, take, possess, barter for, or sell Paddlefish, or to possess, receive, obtain or acquire Paddlefish eggs or Bowfin eggs, except as provided for in section D.

2. It shall be unlawful for persons with Paddlefish Harvester and Helper Permits to harvest, possess, sell, exchange, transport or ship Paddlefish Flesh, Paddlefish parts, Paddlefish eggs or Bowfin eggs to anyone who is not a Paddlefish Processor or Paddlefish Processing Agent, except as provided for in section D.

3. It shall be unlawful for a Paddlefish Helper to fish for, take, attempt to take, or harvest or remove Paddlefish from nets when he/she is not in the immediate presence of a Paddlefish Harvester.

4. It shall be unlawful to fish for, harvest, or possess Paddlefish or paddlefish parts from any water and at any time not designated as a Paddlefish Harvest Zone specified in 40 Mississippi Administrative Code Part 3 Rule 3.4.

5. It shall be unlawful for any person not chosen by the MDWFP to fish in a specific Paddlefish Harvest zone to harvest, possess or acquire a Paddlefish from that Paddlefish Harvest zone.

6. It shall be unlawful for any person to fish in a specific Paddlefish Harvest zone to harvest, possess or acquire a Paddlefish from that Paddlefish Harvest zone unless they carry on their person the Paddlefish Harvest Zone Authorization Card naming them as the person permitted to fish in that Paddlefish Harvest Zone during the specified legal harvest period for that Paddlefish Harvest Zone.

7. It shall be unlawful to harvest, receive, acquire, or possess any Paddlefish from any gear except for Paddlefish Nets specified in Section E10.

8. It shall be unlawful for anyone to fish for, attempt to take or take Paddlefish from 30 minutes after sunset until thirty minutes before sunrise.

10. It shall be unlawful to fail to check, run or leave a Paddlefish net unattended or fail to remove Paddlefish from Paddlefish Nets at least once in any 24 hour period.

11. It shall be unlawful to harvest, take or possess Paddlefish less than 37 inches eye to fork length (front of eye to curvature in fork of tail) with Paddlefish laid flat on a flat board. The measuring device will be laid on a flat surface and the Paddlefish shall be laid atop the measuring device. Measurements made by stretching a measuring tape along the side of the body, measuring in an arc are not valid measurements of Paddlefish length.

Exception: On the Mississippi River Zone it shall be unlawful to harvest, take or possess Paddlefish less than 35 inches yet to fork length.

12. It shall be unlawful for a Paddlefish Harvester, Paddlefish Harvester Helper or Paddlefish Processor or Paddlefish Processor Agent to knowingly possess, receive, or acquire Paddlefish taken unlawfully.

J. Paddlefish Tagging During the Egg Harvest Season --Unlawful Acts

1. It shall be unlawful --- once a Paddlefish has been removed from a net and retained --- to possess, obtain or receive a Paddlefish without a MDWFP issued Paddlefish tag attached to the dorsal fin.

Exception: This tagging requirement does not apply to Paddlefish possessed by persons having Arkansas Egg Taker Permit fishing in reciprocal waters open to Paddlefish harvest.

2. It shall be unlawful to remove a MDWFP Paddlefish tag from a Paddlefish until the flesh is packaged for retail sale at which time the flesh shall be plainly marked and labeled as specified in the Paddlefish Labeling definition.

3. It shall be unlawful for Paddlefish Harvesters to possess MDWFP Paddlefish tags they have not purchased.

K. Paddlefish Handling During the Egg Harvest Season --Unlawful Acts

1. It shall be unlawful to possess, exchange, sell or attempt to sell a Paddlefish that does not remain whole after capture with the eggs remaining entirely within the body cavity of the Paddlefish until the Paddlefish are exchanged with a Paddlefish Processor or a Paddlefish Processor Agent This regulation also applies to nonresident commercial fishermen in reciprocal waters

2. It shall be unlawful to possess exposed Bowfin eggs while on the water.

3. It shall be unlawful --- after landing--- to possess exposed Bowfin eggs until the Bowfin has been documented by a Paddlefish Processor or a Paddlefish Processor Agent. This includes all nonresident commercial fishermen in reciprocal waters.

4. It shall be unlawful for all persons to possess harvested undocumented Paddlefish in a boat on the water unless they all have either a Paddlefish Harvester Permit or a Paddlefish Harvester Helper Permit with at least one person in the boat having a Paddlefish Harvester Permit.

5. It shall be unlawful to cut or mutilate Paddlefish or expose Paddlefish eggs, while on the water, or between the water and until after the Paddlefish has been documented at a Paddlefish Processing facility.

Exceptions:

a. A 12 gauge needle inserted into the side of a Paddlefish adjacent to the ovaries may be used to determine the presence of eggs.

b. The snout forward of the eye may be removed for transport.

c. The gill rakers inside the mouth can be cut to bleed the fish.

6. It shall be unlawful for a person to receive, acquire, or possess Paddlefish eggs that have been removed from Paddlefish, unless as legally permitted herein.

L. Paddlefish Transport, Exchange, Documentation and Sale During the Egg Harvest Season --Unlawful Acts

1. It is unlawful for anyone to possess, buy, sell, attempt to sell, transport, exchange, barter, or ship across the Mississippi state line Paddlefish, Paddlefish parts, Paddlefish eggs, or Bowfin eggs without a Paddlefish Processor Permit and without a documented Paddlefish Transaction Form with the product.

Exceptions:

a. Persons who have purchased Paddlefish flesh or processed and packaged Paddlefish eggs for consumption.

b. Restaurants, grocery stores, hotels, retail fish markets, and wholesale food suppliers selling Paddlefish eggs or Paddlefish parts fully processed, packaged and ready for retail sale in sealed container.

c. Commercial shipping firms or authorized agents may possess legally taken Paddlefish and/or Paddlefish eggs or flesh shipped by persons having a Mississippi Paddlefish Processor Permit.

d. Persons with a Paddlefish Harvester Permit can transport legally harvested and tagged paddlefish to a person with either a Paddlefish Processor Permit or a Paddlefish Processing Agent Permit for documentation of their catch.

2. It is unlawful to sell Paddlefish flesh without complying with the licensing requirements in MS Code Section 49-7-9.

3. It is unlawful ---once on shore ---, for Paddlefish Harvesters and Paddlefish Helpers to transport or exchange or attempt to exchange Paddlefish with a Paddlefish Processor or Paddlefish Processing Agent , unless the Paddlefish are accompanied by a Paddlefish Transaction Form containing all of the following information the harvester's printed name, the number of nets used, the date of harvest, the capture locations, the tag numbers for the possessed Paddlefish, s—and the signature of the Mississippi Paddlefish Harvester to document the Paddlefish.

4. It is unlawful for Paddlefish Harvesters to fail to document their Paddlefish catch before transporting it on land to a Paddlefish Processor or Paddlefish Processing Agent.

5. It is unlawful ----except for the transport specified in L3-- for Paddlefish Helpers to exchange. sell, resell, or ship for sale Paddlefish or Paddlefish parts.

6. It shall be unlawful to receive, acquire, possess, transport, export, import, or ship whole Paddlefish, Paddlefish parts, Paddlefish eggs or Bowfin eggs without a Documented Paddlefish Transaction Form with any such product.

M. Paddlefish Processing, Storage and Disposal During the Egg Harvest Season -- Unlawful Acts

1. It shall be unlawful to process Paddlefish at any location that does not comply with Federal and State Health Regulations.

2. It shall be unlawful for anyone to process Paddlefish unless they are supervised by a person having a Paddlefish Processor Permit or a Paddlefish Processor Agent Permit.

3. It is unlawful to dispose of Paddlefish or Paddlefish Parts in violation of the applicable waste disposal regulations established by the Mississippi Department of Environmental Quality. A copy of the Paddlefish Transaction Form that documents the harvest shall accompany Paddlefish transported for waste disposal.

4. It shall be unlawful to receive, acquire, possess, or store any fish eggs in wholesale or bulk containers that do not contain Paddlefish Labeling.

5. It shall be unlawful to possess processed Paddlefish flesh and processed Paddlefish eggs without a Paddlefish Transaction Form signed by the Paddlefish Harvester and the Paddlefish Processor or Paddlefish Processor Agent which identifies the Paddlefish products to each Paddlefish by Paddlefish Tag Number, and by lot number.

6. It shall be unlawful for any person to possess, buy, sell, exchange or ship across the Mississippi state line whole Paddlefish, Paddlefish parts, Paddlefish eggs without the proper Paddlefish permits and a Documented Paddlefish Transaction Form with the product.

7. It shall be unlawful for any person, business, partnership, firm, or cooperation to make or submit any false record, account, or label for, or any false identification of Paddlefish or Bowfin and their parts which has been or is intended to be imported, exported, transported, sold, purchased, or bartered in intrastate or interstate commerce.

N. Inspections.

1. MDWFP personnel shall be authorized to inspect without warrant, Paddlefish Transaction Forms, other required forms, processing facilities, transport vehicles and boats and may record biological data on harvested Paddlefish.

O. Paddlefish Flesh Sales

1. Paddlefish flesh documented on a Paddlefish Transaction Form by a Paddlefish Processor may be retained by anyone for sale, barter, consumption, donation, or disposal. A copy of the Paddlefish Transaction Form that documents the harvest shall accompany the Paddlefish. The Mississippi Paddlefish Tag must remain on the fish until it is sold to a consumer or until the flesh is packaged for retail sale.

P. Paddlefish Summer Harvest Season.

1. Paddlefish Summer Harvest Season is the months of May through August when Paddlefish eggs are not generally acceptable for producing caviar.

2. It shall be unlawful to receive, acquire, or possess eggs from Paddlefish harvested during the Paddlefish Summer Harvest Season.

3. It shall be unlawful for any person to attempt to take or take a Paddlefish during the Paddlefish Summer Harvest Season without having a valid Mississippi Resident Commercial Fishing License in his/her immediate possession.

4. It shall also be unlawful to harvest, receive, acquire, or possess a Paddlefish during the Summer Harvest Season unless it is tagged with a Mississippi Summer Paddlefish Harvest Tag, issued by MDWFP.

5. Paddlefish tagging requirements apply to Paddlefish taken during the Paddlefish Summer Harvest Season. Summer Paddlefish tags must remain on all Paddlefish including blocked Paddlefish until the flesh is placed for retail sale, at which time the packaged flesh must be labeling according to the Paddlefish Labeling definition.

6. The signature of the Paddlefish Processor is not required on a Paddlefish Transaction Form for Paddlefish taken during the Paddlefish Summer Harvest Season.

7. During the Paddlefish Summer Harvest Season it shall be unlawful to take Paddlefish from any waters not open to commercial fishing as listed in current version of Rule 3.1 and harvest from the following waters is also unlawful:

a. Any waters part of, or tributaries to the Tennessee River, Tombigbee River or the Tennessee-Tombigbee Waterway.

b. Any waters part of, or tributaries in the Pascagoula River watershed.

8. The immediate release of dead Paddlefish does not constitute take.

9. It shall be unlawful during the Paddlefish Summer Harvest Season to take or possess more than five (5) Paddlefish per day.

10. There shall be no possession of Paddlefish eggs from Paddlefish harvested during the Paddlefish Summer Harvest Season.

HISTORY: Revised September 2013

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, and 49-7-90.

RULE 3.2 REGULATIONS REGARDING THE COMMERCIAL TAKING OF PADDLEFISH AND PADDLEFISH ROE. ~~Public Notice F5-3798 is hereby amended.~~

A. The following rules, regulations and required licenses and permits relative to commercial harvest of the American paddlefish (spoon bill catfish) and possession of any Ppaddlefish (Polyodon spathula) or Bowfin (Amia calva) ~~roe~~ eggs are hereby adopted.

B. The following rules, regulations and required licenses and permits do not pertain to persons engaged in sport fishing.

C. ~~Definitions~~ Persons permitted in another state to harvest Paddlefish accessing reciprocal border waters from their respective border state may transport their catch into and through Mississippi but no other rights are granted to them that are not specified in this rule.

D. Bowfin can be taken by persons with a Commercial Fishing License. No other permits are required to harvest Bowfin.

E. Definitions:

1. Paddlefish Harvester – Mississippi Resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2) who possesses a valid Paddlefish Harvester Permit that allows such permits that person to fish for, attempt to and take, possess, and transport Paddlefish during Paddlefish Roe Harvest Season from waters open to paddlefish harvest. Paddlefish Harvester must transport all harvested paddlefish to a person with either a Paddlefish Buyer/Exporter or to a Paddlefish Processor Permit for documentation of harvest, after which the any sale and processing, including removal of eggs roe, may take place.

2. Paddlefish Harvester Helper – Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2), who possesses a valid Paddlefish Helper Permit who assists a person with a Paddlefish Harvester Permit with the fishing for, attempting to take, and taking of Paddlefish. A Paddlefish Harvester Permit can substitute for a Paddlefish Helper permit when assisting another Paddlefish Harvester who has an appropriate Paddlefish Harvest Zone Authorization Card in all types of Paddlefish Permit holders operations. Helpers cannot sell, resell or ship for sale Paddlefish or Paddlefish parts. All persons with harvested undocumented paddlefish in a boat on the water must have paddlefish permits, either a Paddlefish Harvester Permit or Paddlefish Helper Permit with at least one person in the boat having a Harvester Permit. A Person with a Paddlefish Helper Permit can, for a Paddlefish Harvester, transport by automobile or truck an undocumented paddlefish to a Buyer or Processor when that transport is accompanied by a Paddlefish Transaction Form that is signed by the Harvester and contains number of nets used, date of harvest, capture location and for the paddlefish possessed the tag number and paddlefish eye to fork length in inches. A Helper can also supervise the operation of a processing facility.

3. Paddlefish Buyer/Exporter – Persons who are permitted to buy, process, sell or ship Paddlefish roe, or bowfin roe. Buyer/Exporter is also permitted to buy paddlefish flesh and/or document the paddlefish harvest of person with a Paddlefish Harvester Permit

3.4. Paddlefish Processor - Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2) who possesses a valid Paddlefish Processor Permit and has a contract with MDWFP which allows him to purchase, attempt to purchase, barter for, process, sell, ship, import, and export Paddlefish, Bowfin, Paddlefish eggs or Bowfin eggs. The Paddlefish Processor shall document the Paddlefish harvest of the Paddlefish Harvester from whom he/she receives, acquires, and or purchases Paddlefish. Persons who are permitted to buy, sell or ship Paddlefish roe with 60% of roe by weight purchased made into a retail product ready for consumption and packaged in a container that contains less than 1kilogram of paddlefish with label listing that the product is paddlefish roe or caviar and that the product is “Product of Mississippi, USA”. Processor is also permitted to buy paddlefish flesh and/or document the paddlefish harvest of person with a Paddlefish Harvester Permit. Paddlefish Processor is also permitted to buy, sell, or ship bowfin roe.

4. Paddlefish Processing Agent – Mississippi resident as set forth in MS Code Section 49-7-9 and incorporating the provisions of 49-7-3(2) who possesses a valid Paddlefish Processing Agent Permit to assist the Paddlefish Processor in his contractual duties with MDWFP. The Paddlefish Processing Agent can document the Paddlefish harvest of Paddlefish Harvesters from whom the Paddlefish Processing Agent receives Paddlefish for transport to a

processing facility. The Paddlefish Processing Agent can also supervise the operation and activities at a processing facility.

5. Paddlefish Harvest Zone Authorization Card – means a card issued by the MDWFP which authorizes a Paddlefish Harvester to fish for and harvest Paddlefish in the specific waters and dates listed on that card. The Paddlefish Harvest Zone Authorization Card must be carried on the person of the Paddlefish Harvester at all times when they are fishing for or harvesting Paddlefish in that zone.

65. Documented Paddlefish – A Paddlefish legally harvested by a Paddlefish Harvester that has been tagged, the date of harvest, and the harvest location, and tag number, eye fork length, egg sac weight (if applicable) has been recorded by either a the Paddlefish Harvester Paddlefish Buyer/Exporter or Paddlefish Processor on a signed Paddlefish Transaction Form prior to transporting the fish to a Paddlefish Processor or a Paddlefish Processing Agent. Upon exchanging the fish with either a Paddlefish Processor or a Paddlefish Processing Agent, documentation shall include eye to tail fork length, sex and weight of egg sacs. Copies of the original Paddlefish Transaction Form are acceptable for use.

. See item VII for further description

7. Sell or Exchange or Transaction means the transfer of possession of whole Paddlefish, Paddlefish parts, and Paddlefish eggs from a Paddlefish Harvester to a Paddlefish Processor.

8. Mutilation means cutting, puncturing, tearing or disfiguring the body portion of a Paddlefish in any way not otherwise permitted.

9. Paddlefish Labeling means that the containers or packages containing all Paddlefish products shall be identified by a lot number that lists the MDWFP Paddlefish tag number of the fish from which the product came from. Products packaged for consumption or sale shall have a label listing the product is “A Product of Mississippi, USA” and the label shall state one of the following as appropriate to the source of the product “Wild Paddlefish Eggs or Caviar”; Wild Bowfin Eggs or Caviar”; or “Wild Paddlefish Flesh”.

106. Paddlefish Net – Gear legal for the take harvest of Paddlefish during the Paddlefish Roe Egg Harvest Season, and described as such follows:

a. The Paddlefish net shall be a multi-filament Net with mesh of six (6) inch or larger, in square measure from knot to knot.

b. The Paddlefish Net shall be marked by a floating orange colored buoy that has the Paddlefish Harvester’s MDWFP # number on buoy in black letters at least ¼ inch in height. The Paddlefish net shall will have attached to it both the buoy and a Commercial Fishing Equipment Tag.

117. Paddlefish Roe Egg Harvest Season – The months of September 1st to September 1st through March 31st of each calendar year April when Paddlefish have roe eggs suitable for producing that can be processed into caviar. Paddlefish Harvest for eggs is only legal on Paddlefish Harvest Zones as specified in 40 Mississippi Administrative Code Part 3 Rule 3.4.

~~13.128. Paddlefish Summer Harvest Season— The months of May 1st through August 31st of each calendar year when paddlefish roe is not generally acceptable for producing caviar.~~

~~D. Licenses, Permits and Tag Fees:~~

~~1. Persons who take paddlefish during the Paddlefish Summer Harvest Season must have a commercial fishing license and Paddlefish Summer Tags to possess paddlefish.~~

~~2. During the Paddlefish Roe Harvest Season, persons, who take paddlefish, sell paddlefish, buy paddlefish, ship paddlefish, or possess paddlefish roe, or bowfin roe, must have a commercial fishing license and one, or more, of the following permits:~~

| Paddlefish/Roe Fish Permits and Tags | Cost |
|---|-----------------|
| Resident Paddlefish Harvester Permit | \$750 |
| Resident Paddlefish Harvester Helper Permit | \$100 |
| Paddlefish tags (for each paddlefish harvested) | \$3 for 20 tags |
| Paddlefish Processor Permit | \$1,000 |
| Paddlefish Buyer/Exporter Permit | \$3,000 |

~~Prices listed do not include processing or agent fees.~~

~~E. Applications for Permits~~

~~1. Application for Paddlefish Harvester Permits will be accepted either from May 15 to May 30, or October 1 to October 15 for upcoming Paddlefish Roe Harvest Season.~~

~~2. Application must be submitted electronically through a Point of sale (POS) license terminal (anywhere that hunting/fishing licenses are sold).~~

~~3. Applicant must be 16 years of age and domiciled in Mississippi to apply for Paddlefish Harvester Permit.~~

~~4. A non-refundable application fee of \$5, plus a processing fee will be charged. Only applications received during the aforementioned periods will be eligible. Only one application per person may be submitted.~~

~~5. All applicants will be notified by mail whether or not they are approved to purchase permits:~~

~~a. Those selected from the May application period must notify the MDWFP in writing, by September 15 that they are still interested in obtaining a Paddlefish Harvester Permit to remain eligible for the permit.~~

~~b. Those selected must attend a mandatory meeting to be held at the Mississippi Department of Wildlife, Fisheries and Parks (MDWFP) North Mississippi Fish Hatchery in Enid Mississippi on a date specified in the mailing notification.~~

~~6. Applications for Buyer/Exporters or Processors permits or Helper Permit will be accepted during the application periods mentioned above and after October 15 until March 30 through the Fisheries Office in Jackson, Mississippi.~~

~~7. Purchase of paddlefish permits is contingent on the condition that permit applicants have not been convicted, within the last 3 years, of any violations of any state or federal fish and wildlife laws or regulations pertaining to the management of paddlefish nor have a fish/wildlife violation equivalent to a Class 1 Mississippi violation.~~

~~8. MDWFP reserves the right to limit the number of Resident Paddlefish Harvester Permits to 16. When requests exceed available permits selection will be by random drawing where preference will be given to those in good standing, who have purchased Paddlefish permits any previous year. Those who became eligible for Paddlefish Harvester Permits from either the May or October selection pool must purchase the Harvester Permit by November 22. After that date all selections are invalid and any remaining openings can be filled by random selection of applicants who attended the mandatory meeting.~~

~~9. Resident Paddlefish Harvester permits will expire April 10 following issuance of the permits. Paddlefish Buyer/Exporter permits, Paddlefish Processor Permit and Paddlefish tags will expire November 15 following issuance of the permits.~~

F. Paddlefish Tagging.

~~1. All harvested Paddlefish must be tagged with a MDWFP issued numbered tag.~~

~~2. An MDWFP Paddlefish tag shall be attached to the dorsal fin of each Paddlefish at the time of harvest (removal from a net and retained) .This tag must remain on all Paddlefish including blocked Paddlefish until the flesh is paced for retail sale, at which time the packaged flesh must be labeling according to the Paddlefish Labeling definition.~~

GF. Paddlefish Harvest:

~~1. It shall be unlawful to possess a paddlefish without a MDWFP issued serial tag attached to the dorsal fin.~~

~~a. The tag will be attached at capture and remain on the fish until flesh is packaged for retail sale or final retail sale is made.~~

~~b. This includes the paddlefish allowed to commercial fishermen between the months of May thru August, except for licensed or permitted nonresidents fishing in reciprocal waters open to paddlefish harvest.~~

~~c. Items 2, 3, 4, 5, & 6 below are valid during the Paddlefish Roe Harvest Season.~~

~~2. It shall be unlawful for any person to fish for, take and/or sell paddlefish and their parts (eggs and/or flesh) during the Paddlefish Roe Harvest Season without having a Mississippi Resident Commercial Fishing License and a Mississippi Resident Paddlefish Harvester Permit.~~

~~13. The immediate release of dead Ppaddlefish does not constitute take, unless Ppaddlefish were removed and taken/released from nets that have not been checked or run attended at least once within the past any 24 hour period.~~

~~4. During the Paddlefish Roe Harvest Season it shall be unlawful to possess any paddlefish not taken from paddlefish nets as described in Section I. *Be it further ordered that paddlefish nets must be attended at least once within any 24 hour period.* Exception: Border waters open to paddlefish harvest, when the border state is also open to paddlefish harvest.~~

~~25. During the Paddlefish Roe Egg Harvest Season, pPersons having a Paddlefish Harvester Permit shall must document all any Ppaddlefish harvested each with a persons holding either a Mississippi Paddlefish Buyer/Exporter Permit or Paddlefish Processor Permit or a Paddlefish Agent and can only sell to or /exchange Paddlefish eggs and Bowfin eggs with a roe to persons possessing either a Mississippi Paddlefish Buyer/Exporter Permit or Paddlefish Processor Permit. or a Paddlefish Agent working for a Paddlefish Processor.~~

H. Penalty for Violations.

1. Violation of any of the Mississippi state laws or this rule (40 Mississippi Administrative Code Part 3, Rule 3.2) pertaining to Paddlefish will be considered a Class I offense as specified in MISS. CODE ANN. §Section 49-7-90, and punishable as per the provisions of MISS. CODE ANN. §49-7-141.

a. The unlawful possession of any dark colored eggs, similar to that of Paddlefish, including Bowfin eggs, shall be considered to be Paddlefish eggs, until proven by violator as otherwise.

b. Items in J3, K2 and K3 that do not directly apply to Paddlefish are Class III violations.

2. Failure to submit or the falsification of any required Paddlefish information submitted to the MDWFP as specified in 40 Miss. Administrative Code Part 3 Rule 3.5 (Paddlefish Reporting) may result in the revocation of Paddlefish Harvester, Paddlefish Harvester Helper, Paddlefish Processor and Paddlefish Processor Agent Permits.

I. Paddlefish Harvest During the Egg Harvest Season --Unlawful Acts

1. It shall be unlawful for any person without a resident Mississippi Commercial Fishing License and a Paddlefish Harvester Permit to fish for, attempt to take, take, possess, barter for, or sell Paddlefish, or to possess, receive, obtain or acquire Paddlefish eggs or Bowfin eggs, except as provided for in section D.

9. It shall be unlawful for persons with Paddlefish Harvester and Helper Permits to harvest, possess, sell, exchange, transport or ship Paddlefish Flesh, Paddlefish parts, Paddlefish eggs or Bowfin eggs to anyone who is not a Paddlefish Processor or Paddlefish Processing Agent, except as provided for in section D.

10. It shall be unlawful for a Paddlefish Helper to fish for, take, attempt to take, or harvest or remove Paddlefish from nets when he/she is not in the immediate presence of a Paddlefish Harvester.

11. It shall be unlawful to fish for, harvest, or possess Paddlefish or paddlefish parts from any water and at any time not designated as a Paddlefish Harvest Zone specified in 40 Mississippi Administrative Code Part 3 Rule 3.4.

12. It shall be unlawful for any person not chosen by the MDWFP to fish in a specific Paddlefish Harvest zone to harvest, possess or acquire a Paddlefish from that Paddlefish Harvest zone.

13. It shall be unlawful for any person to fish in a specific Paddlefish Harvest zone to harvest, possess or acquire a Paddlefish from that Paddlefish Harvest zone unless they carry on their person the Paddlefish Harvest Zone Authorization Card naming them as the person permitted to fish in that Paddlefish Harvest Zone during the specified legal harvest period for that Paddlefish Harvest Zone.

14. It shall be unlawful to harvest, receive, acquire, or possess any Paddlefish from any gear except for Paddlefish Nets specified in Section E10.

15. It shall be unlawful for anyone to fish for, attempt to take or take Paddlefish from 30 minutes after sunset until thirty minutes before sunrise.

13. It shall be unlawful to fail to check, run or leave a Paddlefish net unattended or fail to remove Paddlefish from Paddlefish Nets at least once in any 24 hour period.

14. It shall be unlawful to harvest, take or possess Paddlefish less than 37 inches eye to fork length (front of eye to curvature in fork of tail) with Paddlefish laid flat on a flat board. The measuring device will be laid on a flat surface and the Paddlefish shall be laid atop the measuring device. Measurements made by stretching a measuring tape along the side of the body, measuring in an arc are not valid measurements of Paddlefish length.

Exception: On the Mississippi River Zone it shall be unlawful to harvest, take or possess Paddlefish less than 35 inches yet to fork length.

15. It shall be unlawful for a Paddlefish Harvester, Paddlefish Harvester Helper or Paddlefish Processor or Paddlefish Processor Agent to knowingly possess, receive, or acquire Paddlefish taken unlawfully.

J. Paddlefish Tagging During the Egg Harvest Season --Unlawful Acts

1. It shall be unlawful --- once a Paddlefish has been removed from a net and retained --- to possess, obtain or receive a Paddlefish without a MDWFP issued Paddlefish tag attached to the dorsal fin.

Exception: This tagging requirement does not apply to Paddlefish possessed by persons having Arkansas Egg Taker Permit fishing in reciprocal waters open to Paddlefish harvest.

2. It shall be unlawful to remove a MDWFP Paddlefish tag from a Paddlefish until the flesh is packaged for retail sale at which time the flesh shall be plainly marked and labeled as specified in the Paddlefish Labeling definition.

3. It shall be unlawful for Paddlefish Harvesters to possess MDWFP Paddlefish tags they have not purchased.

K. Paddlefish Handling During the Egg Harvest Season --Unlawful Acts

3. It shall be unlawful to possess, exchange, sell or attempt to sell a Paddlefish that does not remain whole after capture with the eggs remaining entirely within the body cavity of the Paddlefish until the Paddlefish are exchanged with a Paddlefish Processor or a Paddlefish Processor Agent This regulation also applies to nonresident commercial fishermen in reciprocal waters

4. It shall be unlawful to possess exposed Bowfin eggs while on the water.

3. It shall be unlawful --- after landing--- to possess exposed Bowfin eggs until the Bowfin has been documented by a Paddlefish Processor or a Paddlefish Processor Agent. This includes all nonresident commercial fishermen in reciprocal waters.

4. It shall be unlawful for all persons to possess harvested undocumented Paddlefish in a boat on the water unless they all have either a Paddlefish Harvester Permit or a Paddlefish Harvester Helper Permit with at least one person in the boat having a Paddlefish Harvester Permit.

56. It shall be unlawful to possess cut or mutilated Ppaddlefish or exposed Ppaddlefish roe eggs, or bowfin roe, while on the water or between the water and until after the Paddlefish has been. After landing, it is unlawful to possess exposed paddlefish or bowfin roe or cut or mutilate until the fish has been documented at a by a Mississippi Paddlefish Buyer/Exporter or Mississippi Processoring facility.

a. Mutilation involves cutting, puncturing, tearing or disfiguring the body portion of fish in any way.

b. Paddlefish shall remain whole after capture and eggs shall remain entirely within the body cavity of the fish until the fish reach either a Mississippi Paddlefish Buyer/Exporter or Mississippi Paddlefish Processor. This includes all nonresident commercial fishermen in reciprocal waters.

e. Exceptions:

ai. A 12-gauge needle inserted into the side of a Ppaddlefish adjacent to the ovaries may be used to determine the presence of eggs.

bii. The snout forward of the eye may be removed for transport.

ciii. The gill rakers inside the mouth can be cut to bleed the fish.

iv. Upon landing, paddlefish egg sacs from documented paddlefish can be removed by Buyer/Exporter or Processor and placed on ice for transport with the paddlefish to a processing facility.

~~v. While in transport the egg sacs from each fish are to be kept separate, identified by paddlefish tag number and weighed.~~

~~6. It shall be unlawful for a person to receive, acquire, or possess Paddlefish eggs that have been removed from Paddlefish, unless as legally permitted herein.~~

~~7. It shall be unlawful for any person to take, a paddlefish during the Paddlefish Summer Harvest Season without having a valid Mississippi Resident Commercial Fishing License and MS Summer Paddlefish Harvest Tags, issued by MDWFP, used to tag Paddlefish for possession. The immediate release of dead paddlefish does not constitute take.~~

~~8. It shall be unlawful for any person to take paddlefish and not report harvest to MDWFP on forms issued as specified.~~

~~G. Creel and Minimum length for commercial harvest of paddlefish~~

~~1. During the Paddlefish Roe Harvest Season it shall be unlawful to harvest paddlefish less than 37 inches eye to fork length (front of eye to curvature in fork in tail) with paddlefish laid flat on a flat board.~~

~~2. Exceptions: On waters that border an adjacent state, during periods when both states have open seasons for commercial harvest of paddlefish, the minimum length limit will be the lower limit between the two states.~~

~~3. During the Paddlefish Summer Harvest Season, the creel limit shall be Five (5) paddlefish per day.~~

~~H. Handling of Paddlefish~~

~~1. Paddlefish shall be processed at a location that complies with Federal and State Health regulations. Refer to Section III in regards to transport of egg sacs.~~

~~2. Processing of paddlefish must be supervised by a person holding a paddlefish permit.~~

~~3. Paddlefish flesh documented on a Paddlefish Transaction Form by either a holder of a valid Buyer/Exporter Permit or Processor Permit may be retained by anyone for sale, consumption, donation, or disposal. Disposal is pursuant to regulations of Mississippi Department of Environmental Quality. A copy of the Paddlefish Transaction Form that documents the harvest shall accompany paddlefish.~~

~~4. Personnel of the MDWFP will be allowed to inspect processing facilities and transport vehicle/boats, and record biological data on harvested paddlefish.~~

~~5. It shall be unlawful to store any fish roe in wholesale or bulk containers that are not identified by a label on the container that identifies the roe as to species and the container is identified by the tag number(s) of the fish from which the roe was taken. There shall be no possession of roe from paddlefish harvested during the Paddlefish Summer Harvest Season.~~

~~I. Sale of Paddlefish and Paddlefish Parts~~

L. Paddlefish Transport, Exchange, Documentation and Sale During the Egg Harvest Season --Unlawful Acts

~~1. During the Roe Harvest Season- It shall be~~ is unlawful for any person to possess, buy, sell, attempt to sell, transport, exchange, barter, or ship across the Mississippi state line ~~whole Ppaddlefish, Ppaddlefish parts, Ppaddlefish eggs or Bbowfin roe eggs~~ without a Paddlefish Processor Permit and without proper permits and a dDocumented Paddlefish Transaction Form with the product.

~~2. Persons with Paddlefish Harvester Permit can transport within Mississippi legally harvested and tagged paddlefish to a person with either a Paddlefish Buyer/ Exporter Permit or Paddlefish Processor Permit for documentation of catch.~~

~~3. Exceptions:~~

~~a. Persons who have purchased Ppaddlefish flesh or processed and packaged Ppaddlefish eggs for consumption.~~

~~b. Restaurants, grocery stores, hotels, retail fish markets, and wholesale food suppliers selling Ppaddlefish roe eggs or Ppaddlefish parts fully processed, packaged and ready for retail sale in sealed container.~~

~~c. Commercial shipping firms or authorized agents may possess legally taken paddlefish and/or Ppaddlefish eggs or flesh shipped by persons having a Mississippi Paddlefish Buyer/Exporter or Processor Permit.~~

~~d. Permitted harvesters accessing reciprocal border waters from the respective border state may TRANSPORT their catch into/ through Mississippi, but no other rights are granted that are not specified herein.~~

~~d. Persons with a Paddlefish Harvester Permit can transport legally harvested and tagged paddlefish to a person with either a Paddlefish Processor Permit or a Paddlefish Processing Agent Permit for documentation of their catch.~~

~~4. During the Paddlefish Summer Harvest Season: Paddlefish flesh may be sold or possessed for sale or consumption by any person. A copy of the Paddlefish Transaction Form shall accompany the fish(s) and the tag shall remain on the fish until processed and packaged for retail sale. Tag number of paddlefish must be noted on packaging.~~

~~5. Note that this does not nullify the need for a commercial fishing license as required to sell non-game gross fish for item 1 & 2.~~

J. Reporting Requirements for Harvest, Sale and Shipping

~~1. Paddlefish Transaction Form:~~

~~a. The harvest of any Paddlefish must be documented on a Paddlefish Transaction Form, prior to, or at the time, any sale, and exchange or processing of the fish.~~

~~b. The Paddlefish Transaction Form will contain the tag number, paddlefish eye to fork length in inches, number of nets used, date of harvest, capture location, presence or absence of eggs, and during Roe Harvest Season, if egg sacs are removed in the field, the weight of raw egg sacks recorded on the provided form with form signed by the Harvester and Buyer/Exporter or Processor.~~

~~c. Upon processing the processed weight of eggs, distribution of roe, and distribution of flesh, shall be recorded.~~

~~d. Harvester and Buyer shall retain a copy of each Paddlefish Transaction Form and the Harvester shall submit the original to the MDWFP on a monthly basis by the 15th of the month following the month of harvest.~~

~~e. The Buyer/Exporter or Processor is required by the end of the day to submit an electronic copy by internet, or legible fax copy to the MDWFP. If no paddlefish were harvested or handled in a month a Paddlefish Transaction Form must still be submitted.~~

~~f. The sale of bowfin roe must also be documented on a Paddlefish Transaction Form, on a separate form from any documentation of paddlefish, with "Paddlefish" in the form title crossed out and "Bowfin" written in its place. Total length shall be recorded in place of EF length.~~

~~g. During the Summer Paddlefish Harvest Season the harvest of paddlefish shall be recorded on forms supplied by MDWFP. These forms are to be submitted to MDWFP no later than September 15.~~

~~2. Monthly Processor Form~~

~~a. Processor will submit a form each month stating the pounds of roe processed as a retail product.~~

~~b. The Monthly Processor Form will be submitted by the 15th of the month following the month of the report.~~

~~c. Paddlefish Harvester Permit holders and Paddlefish Buyer/Exporter Permit holders will retain a copy of all completed forms for a period of three years and make them available upon request by the MDWFP.~~

~~K. Paddlefish Roe Harvest Areas and Seasons~~

~~1. During the Paddlefish Roe Harvest Season it shall be unlawful to take Paddlefish from half hour after sunset to half hour before sunrise and to take paddlefish from any waters except the following zones listed within the specified seasons as stated:~~

~~a. Mississippi River Zone: Paddlefish Harvest on border waters with Arkansas along the Mississippi River.~~

~~i. Description of open waters for Mississippi River Zone: Mississippi River from the Tennessee – Mississippi state line south to a point due west of the Corregidor Light near Mile marker 507, including all waters within the mainline levees of the Mississippi River in Desoto, Tunica, Coahoma, Bolivar and Washington Counties.~~

~~ii. The Paddlefish Season for the Mississippi River Zone will be from November 20 – March 31.~~

~~b. Mississippi Delta Zone: Paddlefish Harvest in the following areas:~~

~~i. In all public waters of Tunica County and Quitman County. In Tallahatchie Co., all public waters north of Highway 32.~~

~~ii. The Paddlefish harvest season for the Mississippi Delta Zone will be split between December 1 to December 20 and from February 1 to February 28.~~

~~c. Sunflower River Zone: Paddlefish Harvest on the Sunflower River and Steele Bayou.~~

~~i. In all public waters of Sharkey County and Issaquena County that are within the mainline levee of the Mississippi River and the backwater levee of the Yazoo River, and the following channels – the Sunflower River along the Washington Humphreys County line south of Jordan Landing Boat Ramp at Murphy, the Holly Bluff Cutoff, the Sunflower Diversion Canal within Warren County, and the Steele Bayou in Warren County.~~

~~ii. The Paddlefish Season for the Sunflower River Zone is open from January 1 to February 28.~~

~~d. Yazoo River Zone: Paddlefish Harvest on lower section of Yazoo River and Lake George.~~

~~i. In public waters of the main channel of the Yazoo River from the outlet of Wasp Lake in Humphreys County to northern outlet of Centennial Lake (Warren County/ Madison Parish), that includes any lakes or stream adjacent (within 200 yards) to the main channel and including the following waters:~~

~~(a) Eastern half of Lake George, along with the Lake George Diversion canal;~~

~~(b) The abandoned channel of the Big Sunflower River east of and including the Will Whittington Lower Auxiliary Channel to the Route 433/Satartia Road Bridge;~~

~~(c) The upstream end of the Will Whittington Lower Auxiliary Channel to the first weir;~~

~~(d) Parker Bayou/ Black Creek (Holmes County) that lies west of US Highway 49E;~~

~~(e) Tehula Lake from junction of outlet of Bee Lake to Yazoo River;~~
~~(f) Waters of Warren County that are north of Kings Point/Kings Point Ferry Road, East of the eastern most point of the Louisiana border in Paw Paw Island Chute, south of the Yazoo Backwater Levee, and west of Route 3;~~

~~(g) Steele Bayou south of the Steele Bayou Control Structure.~~

~~ii. Harvesters are allowed to access the zone via boat from Public Boat Ramp on Yazoo River in Vicksburg.~~

~~iii. The Paddlefish Season for the Yazoo River Zone is open from December 1—January 31.~~

~~2. During the paddlefish roe harvest season, for any open Zone the harvest of paddlefish from streams not part of a public waterway or from lakes without public access shall require that the harvester obtain from a riparian landowner written permission to cross their property for access to that body of water.~~

2. It is unlawful to sell Paddlefish flesh without complying with the licensing requirements in MS Code Section 49-7-9.

3. It is unlawful ---once on shore ---, for Paddlefish Harvesters and Paddlefish Helpers to transport or exchange or attempt to exchange Paddlefish with a Paddlefish Processor or Paddlefish Processing Agent , unless the Paddlefish are accompanied by a Paddlefish Transaction Form containing all of the following information the harvester's printed name, the number of nets used, the date of harvest, the capture locations, the tag numbers for the possessed Paddlefish, s—and the signature of the Mississippi Paddlefish Harvester to document the Paddlefish.

4. It is unlawful for Paddlefish Harvesters to fail to document their Paddlefish catch before transporting it on land to a Paddlefish Processor or Paddlefish Processing Agent.

5. It is unlawful ----except for the transport specified in L3-- for Paddlefish Helpers to exchange, sell, resell, or ship for sale Paddlefish or Paddlefish parts.

6. It shall be unlawful to receive, acquire, possess, transport, export, import, or ship whole Paddlefish, Paddlefish parts, Paddlefish eggs or Bowfin eggs without a Documented Paddlefish Transaction Form with any such product.

M. Paddlefish Processing, Storage and Disposal During the Egg Harvest Season -- Unlawful Acts

1. It shall be unlawful to process Paddlefish at any location that does not comply with Federal and State Health Regulations.

2. It shall be unlawful for anyone to process Paddlefish unless they are supervised by a person having a Paddlefish Processor Permit or a Paddlefish Processor Agent Permit.

3. It is unlawful to dispose of Paddlefish or Paddlefish Parts in violation of the applicable waste disposal regulations established by the Mississippi Department of Environmental Quality. A copy of the Paddlefish Transaction Form that documents the harvest shall accompany Paddlefish transported for waste disposal.

4. It shall be unlawful to receive, acquire, possess, or store any fish eggs in wholesale or bulk containers that do not contain Paddlefish Labeling.

5. It shall be unlawful to possess processed Paddlefish flesh and processed Paddlefish eggs without a Paddlefish Transaction Form signed by the Paddlefish Harvester and the Paddlefish Processor or Paddlefish Processor Agent which identifies the Paddlefish products to each Paddlefish by Paddlefish Tag Number, and by lot number.

6. It shall be unlawful for any person to possess, buy, sell, exchange or ship across the Mississippi state line whole Paddlefish, Paddlefish parts, Paddlefish eggs without the proper Paddlefish permits and a Documented Paddlefish Transaction Form with the product.

7. It shall be unlawful for any person, business, partnership, firm, or cooperation to make or submit any false record, account, or label for, or any false identification of Paddlefish or Bowfin and their parts which has been or is intended to be imported, exported, transported, sold, purchased, or bartered in intrastate or interstate commerce.

N. Inspections.

2. MDWFP personnel shall be authorized to inspect without warrant, Paddlefish Transaction Forms, other required forms, processing facilities, transport vehicles and boats and may record biological data on harvested Paddlefish.

O. Paddlefish Flesh Sales

1. Paddlefish flesh documented on a Paddlefish Transaction Form by a Paddlefish Processor may be retained by anyone for sale, barter, consumption, donation, or disposal. A copy of the Paddlefish Transaction Form that documents the harvest shall accompany the Paddlefish. The Mississippi Paddlefish Tag must remain on the fish until it is sold to a consumer or until the flesh is packaged for retail sale.

PL. Paddlefish Summer Harvest Season

2. Paddlefish Summer Harvest Season is the months of May through August when Paddlefish eggs are not generally acceptable for producing caviar.

2. It shall be unlawful to receive, acquire, or possess eggs from Paddlefish harvested during the Paddlefish Summer Harvest Season.

3. It shall be unlawful for any person to attempt to take or take a Paddlefish during the Paddlefish Summer Harvest Season without having a valid Mississippi Resident Commercial Fishing License in his/her immediate possession.

4. It shall also be unlawful to harvest, receive, acquire, or possess a Paddlefish during the Summer Harvest Season unless it is tagged with a Mississippi Summer Paddlefish Harvest Tag, issued by MDWFP.

5. Paddlefish tagging requirements apply to Paddlefish taken during the Paddlefish Summer Harvest Season. Summer Paddlefish tags must remain on all Paddlefish including blocked Paddlefish until the flesh is placed for retail sale, at which time the packaged flesh must be labeling according to the Paddlefish Labeling definition.

10. The signature of the Paddlefish Processor is not required on a Paddlefish Transaction Form for Paddlefish taken during the Paddlefish Summer Harvest Season.

74. During the Paddlefish Summer Harvest Season it shall be unlawful to take Ppaddlefish from any waters not open to commercial fishing as listed in current version of Public Notice 2999 Rule 3.1 and harvest from and the following waters is also unlawful:

a. Any waters part of, or tributaries to the Tennessee River, Tombigbee River or the Tennessee-Tombigbee Waterway.

b. Any waters part of, or tributaries in the Pascagoula River watershed.

8. The immediate release of dead Paddlefish does not constitute take.

16. It shall be unlawful during the Paddlefish Summer Harvest Season to take or possess more than five (5) Paddlefish per day.

10. There shall be no possession of Paddlefish eggs from Paddlefish harvested during the Paddlefish Summer Harvest Season.

~~M. Bowfin Roe Possession~~

~~1. Bowfin can be taken by persons with Commercial Fishing Licenses; No other permits are needed.~~

~~2. It shall be unlawful to possess exposed bowfin roe, while on the water. Be it further ordered that, after landing, it is unlawful to possess exposed bowfin roe until the fish has been documented by Mississippi Paddlefish Buyer/Exporter or Mississippi Processor. This includes all nonresident commercial fishermen in reciprocal waters.~~

~~3. See section J., for reporting requirements.~~

~~N. Penalty for Violations~~

~~1. Violation of any of the Mississippi state laws or state regulations pertaining to paddlefish will be considered a Class I offense as specified in MISS. CODE ANN. §Section 49-7-90, and punishable as per the provisions of MISS. CODE ANN. §49-7-141.~~

~~2. Failure to submit or the falsification of any required paddlefish information to the MDWFP on the specified forms by the specified time or date will result in the revocation of Paddlefish Harvester, Paddlefish Buyer/Exporter and Paddlefish Processor Permits.~~

HISTORY: Revised September 2013

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, and 49-7-90.