

LAKE STURGEON - PROCESSOR APPLICATION

Instructions

STATUTORY AUTHORITY: Environmental Conservation Law Sections 11-0535 and 6 NYCRR Part 182.7

The Department of Environmental Conservation may issue a Lake Sturgeon Processor Application for Lake Sturgeon to qualified individuals for processing Lake Sturgeon in accordance with and pursuant to ECL 11-0535 and 6 NYCRR Part 182.7.

Section 182.7 reads as follows:

SPECIAL RULES: Lake Sturgeon (*Acipenser fulvescens*): Although this species is listed as threatened in New York State, there are viable populations elsewhere that can be harvested commercially. There is a demand for Lake Sturgeon products in New York.

A. Definitions.

The following definitions apply to this section.

1. **CERTIFICATE OF INSPECTION** - a written instrument signed by a representative of the country, state or province within which the Lake Sturgeon were taken attesting to the fact that the Lake Sturgeon were taken in such country, state or province.
2. **DEPARTMENT** - the New York State Department of Environmental Conservation.
3. **LABEL** - a legible, written instrument to be placed on sealed containers of processed Lake Sturgeon bearing the following information: the words "Lake Sturgeon" at least one quarter of an inch high, name, address and importer's or processor's license number.
4. **LAKE STURGEON** - living or dead Lake Sturgeon or any parts of Lake Sturgeon.
5. **PERSON** - any individual, partnership; corporation or legal entity.
6. **PROCESS** - to prepare Lake Sturgeon for sale or disposal including: skinning, boning, slicing, chopping, grinding, smoking, drying, curing, cooking and combining with other foodstuffs.
7. **SEALED CONTAINER** - any packaging method that prevents entry or access to the contents without destruction of the integrity of the package.
8. **TAG** - a non-reusable, locking marker bearing in script of at least one quarter inch high, the words "Lake Sturgeon" and the valid importation license number of the person who attached the tags to the unprocessed Lake Sturgeon.
9. **UNPROCESSED LAKE STURGEON** - includes Lake Sturgeon having the visera removed and may include also having the head and tail removed.

B. Licenses.

The processor's license will be valid for one year from the date of issuance. The fee for the processor's is one hundred fifty dollars (\$150.00) of which twenty five dollars (\$25.00) is a non-refundable application fee. The fee for renewal is one hundred fifty dollars (\$150.00).

C. Processor License.

This license allows the holder to process legally imported Lake Sturgeon in New York State.

1. Processed Lake Sturgeon must be packed in sealed containers.
2. Each container must have a valid label.
3. For each shipment of Lake Sturgeon imported the processor must keep the following information for a period of two years:
 - i) the importer's license number, name and address;
 - ii) date the imported shipment was received;
 - iii) total weight of the shipment;
 - iv) total number of Lake Sturgeon in the shipment;

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- v) name and address of transporter, if the Lake Sturgeon was transported into the state by a person other than the importer.
 - 4. The processor must furnish the department with a report annually as set forth in the license conditions and at any other time upon request of the department.
- D. The following actions are prohibited:
- 1. Importation or possession of Lake Sturgeon except as authorized by this section.
 - 2. Removal of a tag from an unprocessed Lake Sturgeon by anyone other than a processor prior to processing or by a retailer at a final sale.
 - 3. Possessing, processing, selling, offering for sale or otherwise trafficking in Lake Sturgeon except pursuant to a license issued by the department. Such prohibitions shall not apply to purchasers, except purchasers who are processors, and all subsequent holders of Lake Sturgeon who acquire such Lake Sturgeon from a person licensed pursuant to this section.
 - 4. Attaching a tag to a Lake Sturgeon taken from New York waters that identifies the Lake Sturgeon as originating from waters outside of New York.
 - 5. Failure to comply with any other requirement of this section or any condition of an importer's or processor's license.

The following instructions correspond numerically with the numbers on the Lake Sturgeon Processor Application. When completing this application please provide sufficient detail to fully answer the questions. The answers you provide are the criteria for approving or denying your license. Incomplete or vague applications will be returned to the applicant.

- 1. Name of applicant.
- 2. If applying as a business or organization list the name of the business.
- 3. Mailing address and county of residence of the applicant.
- 4. Day and night telephone number of the applicant.
- 5. Date of birth of the applicant.
- 6. Address of premises to be licensed, if different from your residence.
- 7. Check the appropriate box.
- 8. If this application is a renewal, please fill in your previous license number.

Please read the NOTICE and sign and date on the appropriate lines provided at the bottom of the application. Send the completed application to:

New York State Department of Environmental Conservation
Special Licenses Unit
625 Broadway
Albany, New York 12233-4752

Approximately 45 days are required to review and process completed applications.