635-200-0000

Purpose and Applicability

(1) ORS 498.022 states that except as provided by rule adopted by the commission, no person may purchase, sell or exchange, or offer to purchase, sell or exchange any wildlife parts. The purpose of these rules is to provide in one division all rules allowing the sale, purchase, or exchange of wildlife parts.

(2) Each exception to the statutory prohibition applies only to the parts of lawfully taken animals. Unless otherwise specifically allowed by law, the sale, purchase or exchange of the parts of any wildlife that was taken unlawfully continues to be prohibited. In the case of any enforcement action for violation of these rules, the burden of proving that the animal was taken lawfully is on the person who sells, purchases, or exchanges wildlife parts.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0010

Definitions

(1) Unless specifically stated otherwise in this rule, terms used in this division retain the meaning accorded them under other divisions of OAR chapter 635 and the governing statutes.

(2) "Cervid" is defined in OAR 635-045-0002.

(3) "Furtaker" means a holder of a furtaker's license or a hunting license for furbearers.

(4) "Furbearer" and "furbearing mammals" are defined in OAR 635-050-0050.

(5) "Processed" means a hide, pelt, or cape that has been:

(a) Permanently preserved through a process such as tanning, freeze-drying or converting to rawhide (but not including salting, drying or freezing); or

(b) Converted into a handcrafted item.

(6) "Raw pelt" is defined in OAR 635-049-0005.

(7) "Road-killed" means struck and killed by a motor vehicle.

(8) "Unprocessed" means not processed, as defined in this rule.

(9) "Unprotected Mammals" is defined in OAR 635-050-0050.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0020

Furbearing and Unprotected Mammals Generally

(1) Any person may sell, purchase or exchange the pelt, carcass or any part thereof, of any legally taken furbearing or unprotected mammal as allowed by OAR 635 Division 050.

(2) Any person may purchase unprocessed furbearing or unprotected mammal pelts, provided that such pelts are purchased from the furtaker who took the furbearer and that the pelts are purchased for personal use and not for resale. For any furbearer pelt purchased under this section, the purchaser
must retain a record of the furtaker's brand.

(3) Any licensed fur dealer may sell, purchase or exchange unprocessed furbearer pelts pursuant to OAR 635-200-0030.

(4) Any person may sell, purchase, or exchange unprocessed unprotected mammal pelts.

(5) Any person may sell, purchase, or exchange processed furbearing or unprotected mammal pelts, carcasses and parts thereof.

(6) A licensed furtaker may sell or exchange, and any person may purchase, road-killed furbearers or unprotected mammals, provided that:
   (a) The road kill is taken by a licensed furtaker during an authorized season for hunting or trapping the species, and
   (b) The sale is made by the licensed furtaker who took the road kill.

(7) No person may sell a bobcat (*Lynx rufus*) or river otter (*Lutra canadensis*) pelt without the appropriate year's ownership tag as required in OAR 635 division 050.

(8) No person may sell raw bobcat river otter pelts taken before September 1, 1982 unless they were metal-sealed by the Oregon State Police or the department before that date as required in OAR 635 Division 050.

(9) Any person may sell, purchase, or exchange the carcass or parts of black-tailed jackrabbits (*Lepus californicus*), white-tailed jackrabbits (*Lepus townsendii*) or any tree squirrel (except western gray squirrel (*Sciurus griseus*) or northern flying squirrel (*Glaucomys sabrinus*)), provided that the animal was lawfully taken and the carcass or parts were lawfully obtained outside Oregon, as documented by appropriate regulatory agency, business or other reliable records.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0040
Certain Extant Furbearer and Other Species Lawfully Obtained Out of State

(1) Any person may purchase, sell, or exchange the carcass or parts of the following species, provided that the animal was lawfully taken and the carcass or parts were lawfully obtained outside Oregon, as documented by appropriate regulatory agency, business or other reliable records:
   (a) Lynx (*Lynx lynx*);
   (b) Wolverine (*Gulo gulo*);
   (c) Wolf (*Canis lupis*);
   (d) Fisher (*Martes pennanti*);
   (e) Kit fox (*Vulpes velox*);
   (f) Ringtail (*Bassariscus astutus*).

(2) For those of the above species that are subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the documentation required by this rule is the tag required by CITES for each individual raw pelt only as of November 1998.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Deer, Elk, and Antelope (Pronghorn)

(1) Any person may purchase, sell, or exchange processed hides, hooves, dewclaws, sinews, or capes of deer (*Odocoileus hemionus* or *O. virginianus*), elk (*Cervus canadensis*) or antelope (pronghorn) (*Antilocapra americana*).

(2) Any person may sell or exchange the unprocessed hides, hooves, dewclaws, sinews, or capes of a deer, elk, or antelope legally taken during an authorized hunting season.

(3) Any person may sell, purchase, or exchange any bone, elk ivory “buglers” or other part of the skeletal structure of a deer or elk, except the skull.

(4) Any person may sell or exchange lawfully taken antlers which are detached from the skull, skull is split apart between the antlers or naturally shed antlers to a licensed antler dealer for use only in manufacturing handcrafted items from parts of these antlers. Handcrafted items do not include complete sets of antlers or whole heads and antlers which are mounted for display or other purposes. Any person may purchase such lawfully manufactured handcrafted items.

(5) Except as provided in subsection 6, any person desiring to purchase or exchange unprocessed deer, elk, and antelope hides, hooves, dewclaws, or sinews must first secure a Hide Dealer Permit. Clients of a taxidermist do not need this permit when a taxidermist provides the hide for mounting a client's legally taken antler or horn.

(a) Any person desiring to purchase or exchange antlers for use in the manufacture of handcrafted items must first secure an Antler Dealers Permit. Antlers may not be purchased unless antlers are detached from the skull, the skull is split apart between antlers, or the antlers are naturally shed;

(b) Hide and Antler Dealer Permits may be obtained by applying to the Oregon Department of Fish and Wildlife.

(6) Any person may purchase the following for their personal use (not resale):

(a) Unprocessed deer, elk and antelope hides; and

(b) Deer and elk antlers (if detached from the skull, if skull is split apart between the antlers, or if naturally shed).

(7) Hide Dealer and Antler Dealer Permit shall cost $32.00 (plus a $2.00 license agent fee) and shall expire on December 31 of the year issued.

(8) At the time of purchase or exchange for unprocessed deer and elk hides and antlers, and for antelope hides, every dealer shall maintain a record. Such record shall:

(a) Include the date of the transaction, numbers and kinds of hides or antlers purchased or exchanged, and the name and address of the person from whom acquired;

(b) Be maintained at the business address of the hide dealer or antler dealer for a three-year period.

(9) Hide and antler dealer records are subject to inspection at any time by any State Police officer or Department of Fish and Wildlife representative.

(10) Any person may sell, purchase or exchange any bone or other part of the skeletal structure of pronghorn antelope, except the skull and horn sheaths.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

Other Auth.: Senate Bill 247 (2015)

Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
635-200-0060
Fallow Deer, Reindeer and Sika Deer

(1) Any person may sell, purchase or exchange the meat, antlers, or other parts of a fallow Deer (*Dama dama*), reindeer (*Rangifer tarandus*) or sika deer (*Cervus nippon*).

(2) Any person may sell, purchase or exchange the meat, antlers, or other parts of any other nonnative cervid.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0070
Moose

Any person may sell, purchase, or exchange the following parts of moose (*Alces alces*):

(1) The hide;

(2) Any bone or other part of the skeletal structure, except the skull; and

(3) Antlers (if detached from the skull, if skull is split apart between antlers or if antlers are naturally shed).

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0080
Wildlife Not Native to Oregon

(1) Except as provided in this rule, any person may sell, purchase or exchange the parts of any species other than those species listed in Appendix 5 ("Extant, Self-Sustaining Oregon Vertebrates by Physiographic Provinces, Selected Community Types and Selected Habitat Components") of the Oregon Wildlife Diversity Plan 1993-1998 (November 1993).

(2) Any person may sell, purchase, or exchange the inedible parts of bullfrogs (*Rana catesbeiana*).

(3) The sale, purchase, or exchange of nonnative cervid parts is governed by section 60 of this rule.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0090
Sale of Meat

(1) Any person may sell or purchase food items prepared with the meat of game birds (except migratory waterfowl), game mammals or fish donated as part of:

(a) Fund raisers held by trapping, hunting or fishing organizations, or churches, schools and other nonprofit charitable organizations, provided that the wildlife was not taken under a damage control permit; or

(b) Charitable use by churches, schools and other nonprofit charitable organizations.

(2) The exception provided in subsection (1) does not allow the sale of raw meat.

(3) Any person may sell or purchase the meat and by-products of domesticated elk raised pursuant to a cervid license issued by the Fish and Wildlife Commission, provided that:
(a) The slaughter and processing is conducted in an official exotic animal establishment inspected and certified by the U.S. Department of Agriculture; and

(b) The elk is slaughtered, processed and sold in compliance with the rules of the Oregon Department of Agriculture.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0100

Birds

(1) Concerning gallinaceous birds (pheasants, turkeys, quail, and grouse):

(a) Any person may sell, purchase or exchange the carcass, meat or parts of propagated birds; and

(b) Sell, purchase or exchange parts, but not the meat, of wild birds;

(c) This exception does not apply to the sale, purchase, or exchange of the parts or meat of wild sharptailed grouse (\textit{Tympanuchus phasianellus}), sage grouse (\textit{Centrocercus urophasianus}), and spruce grouse (\textit{Dendragapus canadensis}).

(2) Any person may sell, purchase or exchange the feathers of migratory waterfowl (ducks, geese, brant and swans) to be used in making fishing flies, bed pillows and mattresses and similar commercial use, provided that:

(a) Such feathers were obtained from birds killed by lawful hunting or seized and condemned by Federal or State game authorities; and

(b) "Similar commercial use" does not include millinery or ornamental use.

(3) Any person may sell, purchase, or exchange the carcasses or parts of starlings (\textit{Sturnus vulgaris}) and English Sparrows (\textit{Passer domesticus}).

(4) Any person may sell, purchase or exchange the carcasses or parts of captive-reared waterfowl to the extent allowed by the rules of the U.S. Fish and Wildlife Service implementing the federal Migratory Bird Act, 50 CFR (Code of Federal Regulations) 21.13 and 21.14 in effect as of November 1998.

(5) Any person may sell, purchase or exchange raptor "pellets", regurgitated masses that typically contain bones, skulls, and teeth of prey (mammals, birds, reptiles, or amphibians).

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-0110

Rendering

Any person may sell, purchase, or exchange the fats, oils, and similar end products of the process of rendering wildlife carcasses or parts.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
635-200-0120
Taxidermy Mounts

(1) A game mammal taxidermy mount acquired from an Oregon resident 65 years of age or older and legally harvested by the same individual, or acquired from an Oregon decedent by survivorship or any form of succession, may be sold by the person 65 or older, or the decedent's survivor or successor, to any person, provided that the seller first obtains a registration permit from the department.

(2) A registration permit requires a $25.00 non-refundable permit administration fee which covers processing of up to five taxidermy mounts, and a processing fee of an additional $5.00 for each additional mounted game mammal.

(3) To obtain a permit if the seller acquired the mount(s) by survivorship or any form of succession, he or she must provide the department with:
   (a) An Oregon death certificate for the decedent;
   (b) For mounts of game mammals harvested before January 1, 2017, an affidavit by the seller stating that (to the best of the seller's knowledge) the decedent legally harvested the game mammal and describing how the seller legally acquired the mount by survivorship or succession; and
   (c) For mounts of game mammals harvested on or after January 1, 2017, a properly validated tag which the decedent used to document legal harvest of the game mammal.

(4) To obtain a permit if the seller is an Oregon resident 65 years of age or older, he or she must provide the department with:
   (a) For mounts of game mammals harvested before January 1, 2017, a properly validated tag issued to the seller, or an affidavit by the seller stating that the seller legally harvested the game mammal; and
   (b) For mounts of game mammals harvested on or after January 1, 2017, a properly validated tag issued to the seller to document legal harvest of the game mammal.

(5) Upon compliance with the requirements of subsection (2), the department shall register the mount and affix a permanent identification number.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

635-200-130
Sale, Purchase or Exchange of Feathers

Any person may sell, purchase, or exchange lawfully obtained feathers of:

(1) Bird species other than those listed in Appendix 5 (Extant, Self-sustaining Oregon vertebrates by Physiographic Provinces, Selected Community Types and Selected Habitat Components" of the Oregon Wildlife Diversity Plan 1993-1998 (November 1993);

(2) Propagated and wild gallinaceous birds, except sharp-tailed grouse (Tympanuchus phasianellus), sage grouse (Centrocercus urophasianus), and spruce grouse (Dendragapus canadensis):

(3) Migratory waterfowl, for the making of fishing flies, bed pillows and mattresses, and similar commercial use, provided that such feathers were obtained from birds killed by lawful hunting or seized and condemned by federal or state game authorities.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042
Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

Amended June 2016