**Section 870.50 Unlawful Acts**

a) Release of Aquatic Life

It is unlawful to release (or allow escape of) any aquatic life into the waters of this State without first securing permission of the Department to do so, except that the owners of a body of water or their agents may release aquatic life on the Approved List *into waters that are wholly on their property. All aquatic life may be immediately returned unharmed* to waters *from* *where they were taken* [515 ILCS 5/10-100(a)]. Permission will be based upon the potential detriment to the aquatic resource.

b) Transportation

It is unlawful for any person to transport, ship or convey within the State any live grass carp/white amur (Ctenopharyngodon idella), black carp (Mylopharyngodon piceus), bighead carp (Hypophthalmichthys nobilis), silver carp (Hypophthalmichthys molitrix), tilapia (Oreochromis species) or any hybrid of these species, or any other species not on the Approved List, unless that person possesses a Restricted Species Transportation Permit issued by the Department.

c) It is unlawful to transport, ship or convey live trout, salmon or char into the State unless a salmonid import permit has been issued to the source hatchery, as required by Section 10-105 of the Code. A copy of the salmonid import permit must accompany each shipment. A salmonid import permit will be issued only if the source hatchery has been inspected by the Department within the last 12 months and found free of the following disease agents: VHS – Viral Hemorrhagic Septicemia Virus; IHN – Infectious Hematopoetic Necrosis Virus; CS – Ceratomyxosis (Ceratomyxa shasta); PKD – Proliferative Kidney Disease agent; and/or any other disease agents that are not known to be present in the Great Lakes Basin.

1) A salmonid import permit may be issued for a period of up to 6 months following the inspection of the source hatchery. The salmonid import permit will be reissued if the owner/operator of the source hatchery certifies that there has been no change in the disease status of the source hatchery in the 6 month period following the annual inspection. A bill of sale, listing quantity, species, and hatchery of origin shall be provided to and retained by the final recipient of the fish, until the fish are disposed of.

2) The Department recognizes persons inspecting hatcheries using the methods of diagnosis found in "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" 4th ed., Version 1 (1994), published by the Fish Health Section of the American Fisheries Society or the "Manual of Compliance to the Fish Health Protection Regulations of the Department of Fisheries and Oceans, Canada (1988) (no further amendments or editions are included), as competent in the diagnosis of fish diseases, unless a clearcut conflict of interest exists (such as the inspector being related to the hatchery owner by blood, adoption, marriage or economic interest).

d) No live aquatic life not on the Approved List produced at the facilities operated or owned by an aquaculture permit holder may be removed from the site unless it is being transferred to another permit holder who has permission to possess them, or to a fish market as food, or to an aquarium shop.

(Source: Amended at 39 Ill. Reg. 10394, effective July 9, 2015)