**Section 870.80 Exceptions**

a) Except as otherwise provided in subsection (b), this Part does not apply to:

1) aquarists/hobbyists (e.g., keepers of any non-injurious aquatic life, including carp (koi) and goldfish (not including amphibians or reptiles), within home aquaria, private water gardens and aquascapes), as long as the aquatic life are not offered for sale, trade or barter and the aquarist/hobbyist activity does not violate other aquatic life regulations (e.g., 17 Ill. Adm. Code 875);

2) the aquarium industry (those businesses regulated and licensed by the Department of Agriculture under the Animal Welfare Act [225 ILCS 605]); or

3) State agencies or universities.

b) Exceptions from Subsection (a)

1) The exemption in subsection (a) does not apply to any injurious species, as described in 17 Ill. Adm. Code 805.

2) The exemption in subsection (a) does not apply to any VHS-susceptible species or any wild caught aquatic life coming from affected regions without Fish Health Certificates (FHC) and Department approval.

3) The entities cited in subsection (a) are exempt as long as the excepted activity operates in a manner that will prevent escape of aquatic life into the waters standing on or flowing over the soil of the State of Illinois.

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