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**Deer Farming and Marketing of Deer Products Regulations**  
**made under Section 113 of the**  
*Wildlife Act*  
**R.S.N.S. 1989, c. 504**  
**O.I.C. 91-17 (effective January 15, 1991), N.S. Reg. 1/1991**  
**amended to O.I.C. 2015-96 (effective April 1, 2015), N.S. Reg. 166/2015**

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Please note: this table of contents is provided for convenience of reference and does not form part of the regulations.

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**Citation**

- 1 These regulations may be cited as the “Deer Farming and Marketing of Deer Products Regulations”.

**Definitions**

- 2 In these regulations

- (a) “abattoir” means a facility where deer farm animals are slaughtered for human consumption;
- (b) “Act” means the *Wildlife Act*, Revised Statutes of Nova Scotia, 1989, Chapter 504;
- (c) “antler tag” means a tag approved by the Minister and affixed to the antlers of a deer farm animal;
- (d) “carcass” means the intact edible portion of a deer farm animal after the hide, feet, head, and viscera have been removed;
- (e) “conservation officer” means a person designated a conservation officer pursuant to the Act;
- (f) “Crown” means Her Majesty the Queen in right of the Province;
- (g) “Crown land” means land vested in Her Majesty in right of the Province and includes an interest in land;
- (h) “deer farm” means a location where deer farm animals are held in captivity for commercial purposes in accordance with these regulations;
- (i) “deer farm animal” means,
  - (i) an elk having the scientific name *Cervus canadensis*,
  - (ii) a red deer having the scientific name *Cervus elaphus*,
  - (iii) a fallow deer having the scientific name *Dama dama*, or
  - (iv) a sika deer having the scientific name *Cervus nippon*,that is held in captivity at a licensed deer farm for the purpose of producing animal products, and that is of at least third generation captive stock from a commercial licensed premises;
- (j) “deer farming” means the raising or holding of deer farm animals in captivity for the purpose of producing animal products;
- (k) “deer farmer licence” means a licence issued pursuant to these regulations permitting the holder to engage in the business of deer farming;
- (l) “deer meat” means the edible flesh of a deer farm animal;
- (m) “deer meat processor” means a person who is the holder of a valid deer meat processor licence and who is engaged in the business of slaughtering

live deer farm animals or processing deer farm animal carcasses into wholesale or retail products for sale or trade to the public;

- (n) “deer meat processor licence” means a licence issued pursuant to these regulations permitting the holder to engage in the business of slaughtering live deer farm animals or processing deer farm animals into wholesale or retail products for sale or trade to the public;
- (o) “electronic identification” means a unique identification number on a device that is
  - (i) implanted into, or
  - (ii) permanently affixed toa deer farm animal so that it can be read with an electronic scanner;
- (p) “inspection” means the visual examination of
  - (i) deer farm animals and animal products, and
  - (ii) records of any deer farm, deer meat processing facility or abattoir;
- (q) “licence” means a valid and subsisting licence issued pursuant to these regulations;
- (r) “Minister” means the Minister of Lands and Forests or a member of the Executive Council who has been assigned responsibility for matters relating to Section 49 of the Act;
- (s) “named disease” means any disease designated by the Minister pursuant to Section 19;
- (t) “positive identification” means an identification that is permanently affixed to a deer farm animal and includes tattoos, electronic identification, and any brand used pursuant to the Livestock Brands Act;
- (u) “ribbon brand” means a continuous edible dye label covering the entire length of a carcass;
- (v) “tattoo” means a permanent legible ink marking embedded into the hide of a deer farm animal;
- (w) “trade” includes offering for sale, exposing for sale, advertising for sale, selling, buying, bartering, exchanging, dealing or soliciting;

- (x) “unique identification” means an identification number, letter or combination thereof, approved by the Minister, that is specific to a particular individual deer farm animal;
- (y) “vacuum packaged” means packaged in a sealed plastic pouch with all of the air removed from the pouch;
- (z) “veterinarian” means an official veterinarian of the country of origin of a deer farm animal imported into Canada or a veterinarian employed by Agriculture Canada or an individual licensed to practice veterinary medicine in a province of Canada;
- (aa) “visual identification” means a visible coloured ear tag or neck collar that will distinguish each deer on a deer farm.

### **Advisory committee**

- 3** (1) The Minister may appoint a Deer Farming Advisory Committee consisting of not more than six members, one of whom shall be a public servant employed with the Department of Lands and Forests, two of whom shall be public servants employed with the Department of Agriculture and Marketing, two of whom shall be owners of a deer farm, and one of whom shall be a representative of the Nova Scotia Wildlife Federation.
- (2) The Minister may appoint one of the members to be chairperson, and one other member to be secretary of the committee.
- (3) Appointments to the Advisory Committee shall be for two years unless sooner revoked by the Minister.
- (4) The Advisory Committee shall
- (a) periodically review the functioning of deer farming in the Province; and
  - (b) advise the Minister respecting all matters pertaining to deer farming.

### **Licence**

- 4** (1) No person shall establish or operate a deer farm or hold in captivity any deer farm animal unless that person is the holder of a valid deer farmer licence.
- (2) No person shall slaughter or process for human consumption deer farm animals unless that person is the holder of a valid deer meat processor licence.
- 5** (1) Any person over the age of nineteen years may apply for a deer farmer licence provided the person
- (a) submits an application to the Minister on a form provided by or suitable to the Minister;
  - (b) pays an application fee of \$131.26;

- (c) submits a development plan in a form required by the Minister;
  - (d) submits either
    - (i) proof of ownership of an area of land within the Province of a minimum of five contiguous hectares, or
    - (ii) proof of ownership of land within the Province and/or a lease of private property which have a combined contiguous minimum of five hectares; and
  - (e) submits any additional information that the Minister may consider necessary.
- (2) Any person over the age of nineteen years may apply for a deer meat processor licence provided the person
- (a) submits an application to the Minister on a form provided by or suitable to the Minister;
  - (b) pays an application fee of \$124.57;
  - (c) provides a copy of the licence issued to the applicant pursuant to the *Meat Inspection Act* (Canada) or *Meat Inspection Act* (N.S.) as required pursuant to Section 24 of these regulations; and
  - (d) submits any additional information that the Minister considers necessary.

### **Issuance**

#### **6 (1) Where the Minister**

- (a) receives an application pursuant to Section 5; and
  - (b) is satisfied that the applicant has complied with these regulations, he may issue a licence to the applicant.
- (2) The Minister may limit the number of licences issued pursuant to this section.

### **Expiry and renewal**

- 7 (1)** A licence issued pursuant to these regulations expires at the end of the calendar year.
- (2) Unless sooner suspended or cancelled, every licence is renewable annually upon a payment of an annual fee of \$13.70.

### **Suspension**

- 8** (1) The Minister may, for any period that he considers appropriate, suspend, cancel or refuse to renew a licence, if the person to whom the licence has been issued fails to comply with the Act, these regulations, or other regulations made pursuant to the Act.
- (2) The Minister shall not suspend, cancel or refuse to renew a licence without giving the person to whom the licence was issued an opportunity to be heard, unless, in the Minister's opinion, it is in the public interest to suspend a licence immediately.
- (3) Where the Minister suspends a licence without notice pursuant to subsection (2), he shall
- (a) immediately notify the person to whom the licence was issued of the suspension; and
- (b) give the person to whom the licence was issued an opportunity to be heard within 15 days of the date of the suspension.
- (4) The suspension or cancellation of a licence pursuant to this section is in addition to any other penalty that may be imposed pursuant to the Act or pursuant to any other legislation.

#### **Designate authority**

- 9** The Minister may designate an employee of the Department of Lands and Forests or the Department of Agriculture and Marketing to exercise the powers and functions of the Minister as prescribed in these regulations.

#### **Conditions of licence**

- 10** (1) It shall be an offence for any person to whom a licence has been issued pursuant to these regulations to fail to comply with any requirements of the Act, these regulations or any other regulations made pursuant to the Act.
- (2) No person to whom a deer farmer licence is issued shall
- (a) operate a deer farm on Crown land;
- (b) obtain deer farm animals from within the Province other than from a deer farm operated by the holder of a deer farmer licence;
- (c) obtain deer farm animals from outside the Province in a manner contrary to the Act or regulations made pursuant to the Act, or contrary to any legislation in effect in the jurisdiction in which the deer farm animals are obtained.

#### **Escape from captivity**

- 11** (1) No person who has been issued a deer farmer licence and operates a deer farm shall allow the deer farm animals to roam free, escape, or be released to the wild.

- (2) Every person to whom a deer farmer licence has been issued whose deer farm animals escape from captivity shall
  - (a) notify the Minister within 24 hours of the licensee becoming aware of the escape;
  - (b) make all reasonable efforts to restore the escaped deer farm animals to captivity; and
  - (c) subsequently, within 15 days, report the full details of the escape and recovery to the Minister, or a person designated by the Minister.
- (3) Any deer farm animals not recovered within fifteen days of the date of notification to the Minister of the escape shall become the property of the Crown.
- (4) Every person who has been issued a deer farmer licence shall immediately report to the Minister, or to a person designated by the Minister, the presence of white tail deer or moose within the perimeter fence of the enclosures as prescribed pursuant to these regulations.

### **Import and export**

- 12 (1) No person shall import or export live deer farm animals without an import or export permit issued pursuant to these regulations.
  - (2) The Minister may issue an import licence to the holder of a valid deer farmer licence upon receipt of
    - (a) a statement from the applicant setting out the particulars of the animals to be imported sufficient to satisfy the Minister that such animals fall within the meaning of deer farm animals as set out herein; and
    - (b) a copy of a veterinarian's certificate certifying that the deer farm animals to be imported have been tested and examined within 30 days prior to the date of importation and are free from all named diseases.
  - (3) The Minister may issue an export permit for export of deer farm animals upon the application of the holder of a deer farmer licence.
  - (4) Any person who has been issued an export permit shall submit to the Minister, within 10 days of the date of the export, a copy of the bill of sale as required pursuant to Section 26 and a copy of any veterinarian's report required by the jurisdiction into which the deer farm animals are exported.
- 13 (1) No person may export the antlers of deer farm animals without an export permit issued pursuant to these regulations.
  - (2) An export permit pursuant to subsection (1) shall contain the name and address of the person or firm to whom the antlers are being exported, along with the number or weight of the antlers and the number of the antler tag.

## **Quarantine**

- 14** Any person who imports any deer farm animal into Nova Scotia shall
- (a) immediately take the deer farm animal to, and hold the deer farm animal in, a quarantine facility approved by the Minister; and
  - (b) continue to hold the deer farm animal in quarantine until its release is authorized by the Minister.
- 15** The Minister may authorize the release of deer farm animals from quarantine upon
- (a) confirmation in writing that the deer farm animals have been held in quarantine for a period of not less than fourteen days;
  - (b) receipt of a written report from a veterinarian that the deer farm animals held in quarantine pursuant to clause (a) have been examined and either exhibit no signs of disease or have been successfully treated for any disease apparent while in quarantine;
  - (c) confirmation in writing that each deer farm animal to be imported has been positively and uniquely identified; and
  - (d) receipt of a written report from a veterinarian confirming that the deer farm animals have been tested while in quarantine pursuant to clause (a) and are free from named diseases.

## **Reports re diseased deer farm animals**

- 16** No person shall, without the authorization of the Minister, hold any deer farm animal that the person knows or suspects is infected with a named disease or allow that deer farm animal to be transferred to another person.
- 17** The owner of a deer farm animal shall immediately report to the Minister when the owner knows or suspects that the deer farm animal is infected with a named disease or knows or suspects that the deer farm animal has been in contact with an animal infected with a named disease.
- 18** (1) Every person who imports a deer farm animal that dies within 30 days of its importation shall report the death to the Minister and shall not dispose of the deer farm animal until directed to do so by the Minister.
- (2) Every person who holds deer farm animals shall, if a deer farm animal is found dead, immediately report the death to the Minister and shall not dispose of the deer farm animal until directed to do so by the Minister.
- (3) Where the Minister suspects that a named disease may have caused the death of the deer farm animal, the Minister may direct the owner of the deer farm animal to have the animal examined by a veterinarian and to report the veterinarian's findings to the Minister.

- 19** (1) The Minister may designate any disease of animals as a named disease.
- (2) Where the Minister designates a disease pursuant to subsection (1), he shall cause notice of such designation to be published as soon as is reasonably possible in the Royal Gazette.

### **Enclosures**

- 20** (1) No person to whom a deer farmer licence has been issued shall hold deer farm animals unless the deer farm animals are retained in enclosures as set out in these regulations.
- (2) No person to whom a deer farmer licence has been issued shall tether deer farm animals in any manner.
- 21** The holder of a deer farmer licence shall hold deer farm animals in enclosures
- (a) with a perimeter fence not less than 2.43 metres high, and constructed in a manner with materials designated by the Minister;
  - (b) consisting of not less than 1000 m<sup>2</sup> for up to 5 adult animals;
  - (c) containing a shelter that is sufficient to house the number of deer farm animals held in such manner and constructed of such materials as approved by the Minister; and
  - (d) with capture facilities suitable for examination, inspection and testing of individual deer farm animals as required to be carried out pursuant to these regulations.
- 22** No person to whom a deer farmer licence has been issued shall hold deer farm animals unless the enclosure is securely locked so as to prevent public access to the enclosure or the escape of the deer farm animals.

### **Handling of deer farm animals**

- 23** The handling of any deer farm animal shall be carried out in a humane manner.

### **Deer farm animal identification**

- 24** Every person to whom a licence has been issued pursuant to these regulations shall ensure that
- (a) all deer farm animals held, slaughtered, or traded are all positively and uniquely identified;
  - (b) in the case of a person issued a deer farmer licence
    - (i) all deer farm animals born on his deer farm are positively and uniquely identified within 60 days of birth,

- (ii) all deer farm animals imported are positively and uniquely identified prior to importation.

### **Deer meat and product identification**

- 25** (1) Every person who has been issued a deer meat processor licence shall
- (a) apply a ribbon brand to both sides of the carcass of a deer farm animal immediately after the deer farm animal is slaughtered; and
  - (b) ensure that the ribbon brand required pursuant to clause (a) extends from the hips to the neck within 2 inches of the backbone.
- (2) The holder of a deer meat processor licence shall ensure that all deer meat on his premises
- (a) if in the form of carcasses, sides, or quarters, is at all times ribbon branded; and
  - (b) if in portions smaller than a quarter of a carcass, is vacuum packaged with the identification of the deer meat processor either printed on the package, or visible on a label placed inside the package.
- (3) Every person who removes antlers from a deer farm animal shall affix an antler tag to the antlers in a manner approved by the Minister.

### **Sale of deer farm animals and products**

- 26** (1) Every holder of a valid deer farmer licence shall provide all purchasers of deer farm animals with a bill of sale indicating
- (a) the name and address of the holder of the deer farmer licence and, if different, the name and address of the deer farm;
  - (b) the name and address of the purchaser;
  - (c) the species, sex and age of all deer farm animals purchased; and
  - (d) a list of all positive, unique, and visual identification.
- (2) The holder of a valid deer meat processor licence shall provide to all purchasers of deer meat or animal products of a deer farm animal, a bill of sale indicating
- (a) the name and address of the holder of the deer meat processor licence and if different, the business name and address;
  - (b) the name and address of the purchaser;
  - (c) a description of the deer meat or animal product sold;

- (d) the total quantity and weight of deer meat or animal product sold; and
  - (e) a list of identification numbers pertaining to the animal product sold.
- (3) No person who has been issued a deer meat processor licence shall sell deer meat unless it is in the form of
- (a) ribbon branded carcasses, halves, or quarters; or
  - (b) vacuum packaged, permanently labelled packages with the label printed on the package or on a visible label placed inside the package.
- (4) No person who has been issued a deer farmer licence shall sell or trade live deer farm animals to anyone other than the holder of a valid deer farmer licence or a valid deer meat processor licence.
- (5) No person who has been issued a deer meat processor licence shall purchase or trade live deer farm animals from anyone other than the holder of a deer farmer licence.

## **Records**

- 27 (1) Every person who has been issued a deer farmer licence shall
- (a) maintain a permanent written record accounting for all births, deaths, purchases and transfers of deer farm animals on that deer farm;
  - (b) use the unique identification of each deer farm animal as the key identification in maintaining the record;
  - (c) indicate in the record all visual and other positive identification for each deer farm animal;
  - (d) record, on the date the change occurs, any change in identification and the date and reason for the change;
  - (e) upon receipt of a deer farm animal, or within 60 days of the birth of a deer animal on his deer farm, as the case may be, enter positive, unique and visual identification of the deer farm animal in the record;
  - (f) upon sale of a deer farm animal, deer meat or animal product of a deer farm animal, enter into the record
    - (i) the positive, unique and visual identification pertaining to the deer farm animal or animal product involved,
    - (ii) the name and address of the buyer, and

- (iii) where the sale was to the holder of a deer meat processor licence or the holder of a deer farmer licence, the licence number of the buyer.
- (2) Every person who has been issued a deer meat processor licence shall
  - (a) maintain a permanent written record of all purchases of deer farm animals and sales of deer meat and animal products of deer farm animals;
  - (b) upon receipt of a deer farm animal, enter into the record
    - (i) the unique identification of the deer farm animal,
    - (ii) the date of purchase of the deer farm animal, and
    - (iii) the name, address and licence number of the vendor.
  - (c) enter into the record the pertinent details of the sale of all deer meat or animal products of deer farm animals, including
    - (i) the date of sale, quantity, weight, and description of the deer meat or animal product sold, and
    - (ii) the name and address of the purchaser.
- (3) Each annual record shall cover the period of time equivalent to the fiscal year of the person required to keep such a record.
- (4) Every person to whom a licence is issued shall
  - (a) retain all records required by this section for at least one year following the end of the fiscal year of the licensee to which the records relates; and
  - (b) make the records mentioned in clause (a) available for inspection at all reasonable times by the Minister, or a person designated by the Minister.

### **Inspection**

- 28** (1) Every person who has been issued a deer farmer licence shall make his deer farm and all deer farm animals held on his farm available for inspection at all reasonable times by the Minister.
- (2) Every person who has been issued a meat processor licence shall ensure that all deer farm animals are slaughtered
- (a) if for export, at an abattoir licensed under and by an inspector appointed pursuant to the *Meat Inspection Act* (Canada); or

- (b) if for provincial trade, at a licensed abattoir under inspection pursuant to clause (a), or at an abattoir licensed under the *Meat Inspection (N.S.) Act* [N.S.].
- (3) Every person who has been issued a deer meat processor licence shall make all his deer meat processing facilities available for inspection at all reasonable times by the Minister.

### **Transportation**

**29** Every person to whom a licence is issued shall transport, or cause to be transported, all deer farm animals in a covered vehicle.

### **Liability**

**30** Notwithstanding anything in the Act or regulations,

- (a) the Minister shall not be liable for injury or property damage caused by deer farm animals or by the escape from captivity of deer farm animals; and
- (b) the Minister shall not be liable for the loss or death of any deer farm animal through escape from captivity or death from disease, notwithstanding that the Minister may have required a deer farm animal to be destroyed due to escape or disease.

### **Offence**

**31** Any person who fails to comply with these regulations or hinders or obstructs a conservation officer, extension worker or veterinarian in carrying out his functions pursuant to these regulations is guilty of an offence and is liable on summary conviction to a fine not exceeding \$2,000.00.

### **Effective date of new regulations**

**32** These regulations shall come into force on, from and after the 15th day of January, 1991.

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## **Legislative History Reference Tables**

Deer Farming and Marketing of Deer Products Regulations  
Wildlife Act

N.S. Reg. 1/1991

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*Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.*

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## Source Law

The current consolidation of the *Deer Farming and Marketing of Deer Products Regulations* made under the *Wildlife Act* includes all of the following regulations:

<b>N.S. Regulation</b>	<b>In force date*</b>	<b>How in force</b>	<b>Royal Gazette Part II Issue</b>
1/1991	Jan 15, 1991	date specified	Jan 25, 1991
145/1996	Aug 28, 1996	date specified	Sep 13, 1996
121/2004	Apr 1, 2004	date specified	Apr 6, 2004
168/2007	Apr 1, 2007	date specified	Mar 30, 2007
223/2008	Apr 1, 2008	date specified	Apr 18, 2008
162/2009	Apr 1, 2009	date specified	Apr 14, 2009
138/2011	Apr 1, 2011	date specified	Apr 15, 2011
166/2013	Apr 1, 2013	date specified	Apr 12, 2013
166/2015	Apr 1, 2015	date specified	Apr 8, 2015

The following regulations are not yet in force and are not included in the current consolidation:

<b>N.S. Regulation</b>	<b>In force date*</b>	<b>How in force</b>	<b>Royal Gazette Part II Issue</b>
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\*See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

## Amendments by Provision

ad. = added  
am. = amended

fc. = fee change  
ra. = reassigned

rep. = repealed  
rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
2(i)(ii)-(iii).....	am. 145/1996
2(i)(iv).....	ad. 145/1996
5(1)(b).....	fc. 121/2004, 168/2007, 223/2008, 162/2009, 138/2011, 166/2013, 166/2015
5(2)(b).....	fc. 168/2007, 223/2008, 162/2009, 138/2011, 166/2013, 166/2015
7(2).....	am. 145/1996; fc. 121/2004, 168/2007, 223/2008, 162/2009, 138/2011, 166/2013, 166/2015
21(b).....	rs. 145/1996

Note that changes to headings are not included in the above table.

## Editorial Notes and Corrections:

Note	Effective date
1 References to the Department or Minister of Lands and Forests should be read as references to the Department or Minister of Natural Resources in accordance with O.I.C. 91-971 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Sep 16, 1991
2 References to the Department of Agriculture and Marketing should be read as references to the Department of Agriculture and Fisheries in accordance with O.I.C. 2000-483 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Oct 1, 2000
3 The reference to the Nova Scotia Wildlife Federation in s. 3(1) should be read as a reference to the Nova Scotia Federation of Anglers and Hunters in accordance with amendments made to the <i>Nova Scotia Federation of Anglers and Hunters Act</i> , S.N.S. 1930, c. 148 by <i>Nova Scotia Fish and Game Protective Association and County or District Fish and Game Associations</i> , S.N.S. 2004, c. 22, ss. 1 and 8.	May 20, 2004
4 References to the Department of Agriculture and Marketing should be read as references to the Department of Agriculture in accordance with O.I.C. 2006-121 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Feb 24, 2006
5 References to the Department or Minister of Lands and Forests should be read as references to the Department or Minister of Lands and Forestry in accordance with O.I.C. 2018-188 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Jul 5, 2018
6 References to the Department or Minister of Lands and Forests should be read as references to the Department or Minister of Natural Resources and Renewables in accordance with O.I.C. 2021-210 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Aug 31, 2021

## Repealed and Superseded:

N.S. Regulation Title	In force date	Repealed date
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Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.