

# Selling Aquatic Plants or Fish: Protect the Environment & Obey the Law

**A**quatic invasive species (AIS) are non-native plants and animals that have been introduced into the environment and have adapted to their adopted habitats. Introduction of AIS can have devastating effects on the environment, as AIS may cause changes in the native habitat by competing with or preying on existing organisms. AIS can also have a negative economic impact, as they can be costly to control or manage and environmental changes may cause a decline in recreational or other activities. For example, zebra mussels have caused changes in the Great Lakes ecosystem, eliminating native mussels and causing toxic algae blooms. Great Lakes water users have spent more than \$30 million annually to monitor and control zebra mussels.

Preventing the introduction of new AIS is the best way to protect the Great Lakes, as eradication of invasive species is nearly impossible once populations become established. As a vendor of aquatic plants and fish, it is important to take an active role in the prevention of the introduction or spread of AIS through educating customers and offering solutions for unwanted species. In addition to protecting the environment, this will also reduce your risk of violating state laws regarding invasive species.

## Before You Buy

- ✓ Check legality of possession
- ✓ Obtain permit if required
- ✓ Plan for proper disposal
- ✓ Consider native alternatives

## Possession, Sale, and Transport

Before purchasing or offering a non-native plant or animal species for sale, make certain the possession, transport, and sale of the species is authorized by the law. Under Illinois state law, it is illegal to purchase or possess “injurious species” (common names listed below) without a permit from the Illinois Department of Natural Resources (DNR). Please visit

### Injurious Species under Illinois Law

* walking catfish family	Chinese waterspinach or
* mitten crabs	swamp morning-glory
* zebra mussels	yellow flag or tall yellow iris
* snakehead	oxygen weed or
* silver carp	African elodea
* largescale silver carp	Asian marshweed or
* black carp	ambulia
* bighead carp	monochoria
* salmon and trout family	arrowleaf or
(due to disease risk)	false pickerelweed
gobies	heartshape or
rusty crayfish	false pickerelweed
rudd	parrot feather or
river ruffe	parrot feather watermilfoil
mosquito fern	Eurasian watermilfoil
flowering rush	brittle naiad or
caulerpa or Mediterranean	brittle water nymph
killer algae	yellow floating heart
Brazilian elodea,	duck lettuce
Brazilian waterweed,	curlyleaf pondweed
anacharis or egeria	arrowhead
anchored water hyacinth	giant salvinia
hydrilla or water thyme	exotic bur-reed
European or common	water chestnut
frogbit	Indiana swampweed or
miramar weed	hygro

\* also Injurious Species under the Lacey Act

<http://dnr.state.il.us/ORC/> for the list, which includes scientific names of the species, as it's important to verify that your purchase is legal.

The DNR may issue permits to possess injurious species for zoological, educational, medical or scientific purposes. If you need a permit, contact DNR's Office of Resource Conservation (<http://dnr.state.il.us/ORC/>).

Under Illinois law, animals are unfit for sale or release if the following characteristics are displayed: obvious signs of infectious disease, nutritional deficiency, severe parasitism, congenital abnormalities, or sign of disease extreme enough to influence the general health of an animal.

Prior to purchasing species from another state, please note that the federal Lacey Act prohibits injurious species from being imported or transported between states or territories without a permit from the U.S. Fish and Wildlife Service. Further, the Lacey Act makes it unlawful "to import, export, transport, sell, receive, acquire, or purchase any fish or wildlife or plant taken, possessed, transported, or sold" in violation of state law. For example, if you possess a rusty crayfish in violation of state law which you've imported from outside Illinois and then sell that crayfish to a consumer in Illinois, you could be in violation of federal, as well as state, law.

To prevent the spread of viral hemorrhagic septicemia (VHS), a deadly fish disease, Illinois has regulations regarding the use and transport of VHS-susceptible species. Live VHS-susceptible species may not be transported from the waters from which they are caught. Further, the use of wild-trapped fish as bait is restricted to the waters where they were captured. Bringing in aquatic life from another Great Lakes state may also require special permits and certifications. For a list of VHS-susceptible species and more information on VHS regulations, visit <http://www.dnr.illinois.gov>.

Illinois has an approved aquatic species list, which informs what species are allowed for aquaculture purposes. For more information, visit [www.ncrac.org/node/379](http://www.ncrac.org/node/379).

### **Educate Consumers, Offer Solutions**

It is illegal to release injurious species into waters of Illinois. In fact, it is illegal to release any aquatic life into the waters of Illinois without permission from the DNR. Violations of these laws are misdemeanors and may result in fines of up to \$1,000. However, aquatic life indigenous to Illinois may be released into waters that are located entirely on your own property. For example, while a purchaser should not release a rusty crayfish into her backyard stream, she may be able to release a native fish into a backyard pond that is not connected to another water source. All aquatic life may be released into waters from which they were taken. Take the opportunity at the point of sale to educate your customers about these restrictions.

To further reduce the risk of release, offer to accept unwanted species from customers and, if necessary, provide customers with information on the humane disposal of animals and safe disposal methods for aquatic plants.

#### **For More Information**

##### **Illinois Department of Natural Resources**

Office of Resource Conservation

(217) 785-8772

<http://dnr.state.il.us/ORC/>

##### **Aquatic Invaders in the Marketplace,**

##### **Illinois-Indiana Sea Grant**

<http://www.takeaim.org/selling>

##### **U.S. Fish and Wildlife Service**

<http://www.fws.gov/>

##### **Habitattitude**

<http://www.habitattitude.net/>