

PROCLAMATION**RE: RED PORGY**

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., Monday, December 21, 2009** the following restrictions will apply to **red porgy**:

I. SEASON AND SIZE LIMIT EXEMPTION

- A. Possession and sale of red porgy by a permitted hatchery or red porgy aquaculture operation and purchase and possession of red porgy from a permitted hatchery or red porgy aquaculture operation shall be exempt from season and size limit restrictions.
- B. It is unlawful to possess, sell, purchase or transport such red porgy unless they are in compliance with all conditions of the North Carolina Division of Marine Fisheries Aquaculture Operation Permit.
- C. It is unlawful to possess red porgy from a hatchery or aquaculture operation without receipts or bills of lading documenting the origin of the fish.

II. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C.G.S. 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52; and N.C. Marine Fisheries Rules 15A NCAC 03H .0103 and 03M.0512.
- B. It is unlawful to violate the provisions of any proclamation issued by the Director under his delegated authority pursuant to N.C. Fisheries Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to allow permitted red porgy (*Pagrus pagrus*) hatcheries and aquaculture operations to possess and sell undersize fish from those facilities.

BY: _____
Dr. Louis B. Daniel III, Director
DIVISION OF MARINE FISHERIES

December 18, 2009
12:15 P.M.
FF-73-2009
/sab