§ 11-1319. Possession, transportation and sale of fish.

1. Application.

a. This section governs possession, transportation and sale of all fish taken in waters of the state, including the marine and coastal district except (1) trout and black bass raised under permit from the department and identified as provided in section 11-1909, (2) fish taken from a farm fish pond licensed as provided in section 11-1911, and (3) fish taken from licensed fishing preserve waters as provided in section 11-1913.

b. Fish lawfully taken may be (1) possessed, (2) transported within the state and from within to without the state, and (3) bought and sold, as provided in this section and in the sections of the Fish and Wildlife Law and regulations of the department to which this section refers, and not otherwise. Such fish shall not be possessed, transported, bought or sold unless lawfully taken, nor transported, bought or sold, unless lawfully possessed.

c. No fish shall be possessed, transported or sold contrary to the terms of any statute, regulation, permit or license of the department, pursuant to which it is taken or acquired.

2. Sale.

a. Trout, including rainbow trout, Atlantic salmon, black bass, walleye and muskellunge shall not be bought and sold.

b. Bait fish named in section 11-1315 shall not be sold for bait except as provided in that section.

c. The following fish may be bought and sold at any time: (1) the marine species named in section 13-0339 or in regulations of the department provided they are of the minimum size limits stated in such section or in such regulations; (2) fish that may be taken with nets in the Hudson River, Lake Erie and Lake Ontario as authorized by

regulations of the department provided they are of the minimum size limits stated in such regulations; (3) fish not specifically named in paragraph d of this subdivision or in section 13-0339, 11-1521 or 13-0347 or in regulation adopted pursuant to section 11-1303; (4) fish for which such regulations specify no minimum size limits and specify generally without exceptions, that the open season is "any time".

3. Possession.

A person shall not possess on waters of the state nor the shores thereof, any species of fish (other than fish legally taken in a net or fish legally taken by the holder of a license issued pursuant to section 13-0335 of this chapter) in excess of the number of such species which may be legally taken by one person in one day.

4. Transportation.

a. Carcasses, and parts thereof, of fish which may be sold as provided in subdivision 2 may be transported within and from within to without the state by any person, at any time, in any number and in any manner.

b. Carcasses, and parts thereof, of fish which may not be sold as provided in subdivision 2 may be transported within and from within to without the state by any person, at any time, subject to the following restrictions: (1) no person shall transport in one day a quantity of fish for which a catch limit is provided in regulations adopted pursuant to section 11-1303 or 11-1505 greater than the quantity that may lawfully be taken by one person in two days, unless such transportation is authorized by permit issued by the department or the fish so transported is frozen or otherwise processed and packaged for storage and is transported from a place of processing to a place of storage or of consumption or from a place of storage to a place of storage or consumption; (2) such carcasses or parts thereof shall not be shipped by parcel post, and if shipped by carrier, they or the package containing them shall have attached a card or label showing the name and address of the taker, his license number, the name and address of the consignee, and if the fish is shipped in a package, the nature of the contents of

the package.