



## Department of Environmental Conservation

# Deer and Moose Feeding Prohibited

**It is illegal to intentionally feed wild deer or moose in New York.**



Feeding of white-tailed deer causes unnatural concentrations near the food source, which can lead to ecological damage, damage to property, and an increased risk of transmission of disease between deer.

[December 2019 Update - New Deer and Moose Feeding Regulation](#)

**NYS Environmental Conservation Law 11-0505 prohibits:**

- feeding or enticing deer to be fed within 300 feet of public road; and
- establishing a salt lick on land inhabited by deer.

[NYS Codes, Rules and Regulations Part 186](#) further prohibits **all intentional feeding of wild deer or moose** except for several specific circumstances. Incidental feeding such as attraction of deer or moose to a birdfeeder will only be considered a violation if DEC has previously issued a written warning to the person responsible.



Exceptions to the feeding prohibition include:

- DEC issued research license, management permit, or 4-Poster Tickicide™ license;
- planting, cultivating, or harvesting of vegetation associated with normal agricultural or horticultural practices;
- planting, cultivating, or harvesting plants to enhance wildlife habitat conditions;
- distribution of food material for livestock directly associated with livestock husbandry;
- distribution of food material for legally possessed captive animals of the family Cervidae where measures are in place to eliminate the availability of food material to deer or moose; and
- cutting of trees or brush.

## Important Definitions

- **Feed or feeding of deer or moose:** to intentionally place or distribute food or food products, or any act to maintain the availability of such material, resulting in the attraction of deer or moose to a particular site or location and the consumption by deer or moose of such material or the substrate on which it is distributed. Placing or distributing commercial deer foods such that they are accessible to deer or moose is presumptive evidence of intent to feed deer or moose.
- **Food or food products:** any material including but not limited to any powders, liquids, fruits, vegetables, grains, minerals, or commercially produced foods made for consumption by humans or domestic or wild animals.
- **Incidental or indirect feeding:** using, placing, giving, exposing, depositing, distributing or scattering any food or food products for a different purpose than feeding or attracting deer or moose but that results in the attraction of one or more deer or moose. This includes the use and storage of birdseed in a manner that is accessible to deer or moose. This does not include normal agricultural or horticultural practices.

## Sale of Commercial Deer Foods Prohibited

DEC regulations also prohibit the sale of commercial deer foods or deer feeding equipment unless such products are affixed with a label that warns consumers that the products are illegal for use in New York.

[Product Label for Commercial Deer Foods or Deer Feeding Equipment \(PDF\)](#).

### Important Definition

- *Commercial deer foods*: food or food products labeled or packaged as a product to be used for feeding or attracting deer or moose, including those in packages that depict hunters, hunting, live or dead deer or moose, or antlers, use camouflage or bright orange coloration, or include words related to hunting, harvesting, or attracting deer or moose.



## Prohibiting Intentional Feeding of Deer and Moose is Good Management

Prohibiting the feeding of wild deer and moose is a best management approach to reduce risks associated with communicable wildlife diseases, minimize conflicts with deer, and protect wildlife habitats.

Supplemental feeding can negatively affect deer behavior, leading to increased social conflict among deer, habituation of deer to human presence, and alteration of migratory movements to critical wintering areas. Importantly, supplemental feeding can increase deer populations above ecologically sustainable levels, resulting in significant harm to local biodiversity and forest health.

Feeding can cause more animals to survive than the natural habitat can support. This can lead to long term degradation of the natural habitat. Animals being artificially fed also consume natural food in the adjoining area. With deer concentrated at feeding sites, the surrounding natural habitat can be severely overbrowsed. The browse plants can be damaged so that they produce smaller quantities of browse for many years or can be completely eliminated. The result is a habitat that supports fewer animals and a population that is dependent on artificial feeding.

In addition, some foods may be detrimental because they do not meet the nutritional requirements of deer or moose in winter. Both of these species are ruminants similar to a cow and have a multi-chambered stomach, with a more complicated digestive process. If food types are suddenly changed, it can take considerable time for the digestive process to adapt to the new food. During this time the animal receives little nutrition when it needs it most.

Especially with deer, feeding can also increase the number of deer-vehicle collisions or other nuisance problems if the feeding occurs near highways or near residences or agricultural operations.

## Deer Survival Without Supplemental Feed

If feeding is curtailed, some deer may starve at traditional feeding sites because their population is artificially above the carrying capacity of the winter habitat. Moreover, the winter habitat surrounding the feeding site may be damaged from overbrowsing. Some deer will shift activity patterns to take advantage of better winter cover than that which existed at the feeding site. After several years with no deer feeding, the deer population will again be in balance with the natural habitat.

It is normal for some deer to starve during severe winters in northern forests, leaving the stronger deer to reproduce. Some young deer simply do not reach adequate body size and physical condition to survive even

average winter conditions. On the other hand, deer populations tend to increase following milder winters. When summer and fall habitats are maintained in good quality, deer are better prepared to survive harsh winter conditions.

In northern latitudes when snow depths increase, deer often congregate in winter yards, which are typically areas of conifer cover that provide greater shelter from deep snows and slightly more moderate temperatures. This is a natural behavior, with the deer prioritizing shelter over food resources. Although the deer are more concentrated than during other times of year, the risk of disease transmission is lower in winter yards than at artificial feeding sites because feeding activity is dispersed. Natural browse is consumed and not immediately replaced. At artificial feeding sites, deer are in closer contact. The food is replaced at the same location repeatedly, increasing the likelihood of direct contact between animals.

The best way to improve deer survival through winter is to improve the quality of their summer and fall habitat and natural food sources. Additionally, [cutting trees and brush](#) in deer winter yards makes the browse in the tops of the trees or brush accessible to deer. This browse is the food deer are adapted to eat in the winter. This cutting can only be done on private land with the permission of the landowner. It cannot be done on state forest preserve land and requires permits on other state lands. The landowner can use the trunks of the trees for firewood or timber, leaving the tops for deer to eat. Anyone interested in providing browse to deer by cutting trees or brush can contact their regional DEC deer biologist for suggestions on tree species and quantities or visit the [winter deer foods page](#).