ORDER NO. 08-04-04-12-361

UNITED STATES DEPARTMENT OF AGRICULTURE

CHEROKEE NATIONAL FOREST

Food Storage Restriction

Pursuant to 36 CFR, Section 261.50 (a), it is hereby ordered that the prohibition hereinafter set forth apply to the

1. **Possessing or leaving any food or refuse unless it is:**
   a. **Stored properly or**
   b. **Being eaten, being prepared for eating or being transported or**
   c. **Disposed of in a provided bear resistant, trash receptacle.**

   36 CFR 261.58 (cc)

Definitions

1. "Bear resistant container" means a securable container constructed of solid non-pliable material capable of withstanding 200 foot-pounds of energy (using the approved bear resistant container impact testing machine). When secured and under stress the container will not have any cracks, openings, or hinges that would allow a bear to gain entry by biting or pulling with its claws. Wood containers are not considered bear resistant unless they are reinforced with metal.

2. "Food" means any nourishing substance, solid or liquid (excluding baled hay or water) or refuse thereof, that is not native to the immediate area, which is or may be eaten or otherwise taken into the body to sustain life, provide energy, or promote growth of any person or animal.

3. "Acceptable storage" means

   - Stored in a bear-resistant container or;
   - Stored in a closed vehicle constructed of solid, nonpliable material or:
   - Suspended at least ten feet clear of the ground at all points and four feet horizontally from any supporting limb or pole.
   - Disposed of in provided bear resistant trash recepticles.

Pursuant to 36 CFR, Section 261.50 (e), the following persons or areas are exempt from this Order:

1. Persons with a special use permit specifically authorizing the otherwise prohibited act or omission, issued by the District Ranger.

2. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

Executed in Cleveland, Tennessee, this 18 day of May, 2012.

H. Thomas Speaks

H. THOMAS SPEAKS, JR.
Forest Supervisor
Cherokee National Forest

ORDER EXPIRES FIVE YEARS FROM DATE OF SIGNATURE.
Violation of these prohibitions set forth above is punishable by a fine of not more than $5,000 for an individual and $10,000 for an organization, or imprisonment for not more than six (6) months, or both. See 16 U.S.C. 551, 18 U.S.C. 3559 and 3571.

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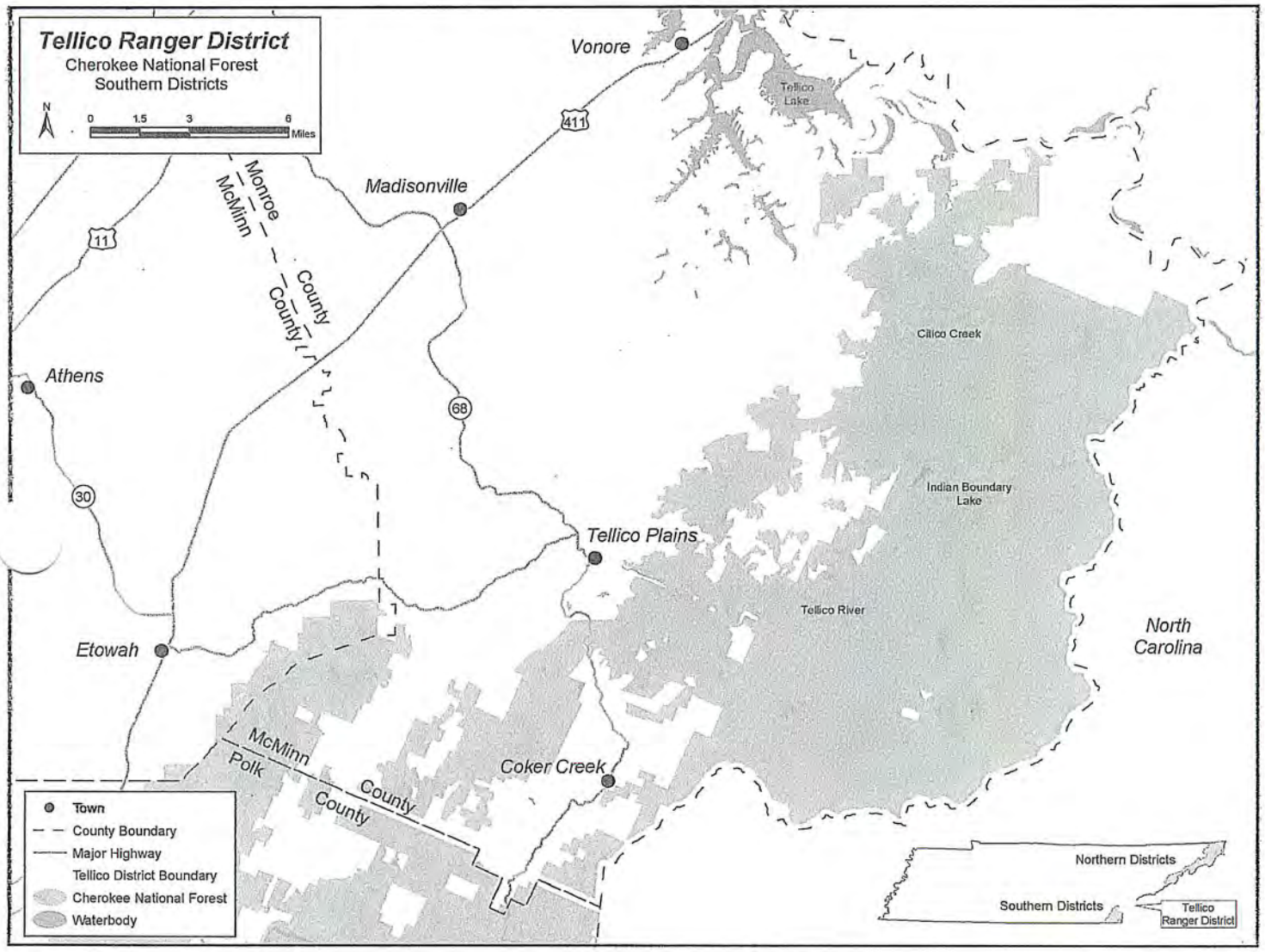
Tellico Ranger District
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Vonore
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Madisonville
Monroe County
McMinn County
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Athens
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Cilico Creek
Indian Boundary Lake
Tellico Plains
Tellico River
North Carolina
Etowah
McMinn County
Polk County
Coker Creek
Town
County Boundary
Major Highway
Tellico District Boundary
Cherokee National Forest
Waterbody
Northern Districts
Southern Districts
Tellico Ranger District