

Regulatory Guide to Marketing Farmed Seafood in New York



Photo Credit (Left to Right): Photo 1 Hudson Valley Fisheries, Photo's 2-3 Upward Farms

This regulatory guide was created by New York Sea Grant with assistance from members of the NY Seafood Direct Marketing Task Force with representation from Federal, State County and City agencies as well as industry partners. This document is for educational and informational purposes only. This is a living document that may be updated over time to reflect current requirements for selling/marketing New York seafood. For the most up to date regulations refer to codes, rules, and regulations that are linked throughout this resource and relevant agency websites. The information provided should not be used as a substitute for legal advice. Individuals and businesses are encouraged to consult with legal counsel if starting new initiatives.

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Document Navigation

Introduction

New York Sea Grant created the Seafood Marketing Task force in June of 2020 to develop a series of resources to assist NY seafood producers in understanding the regulations governing the sale and marketing of seafood products in New York. The task force was made up of various industry, academic, and regulatory agency representatives with control over aquaculture production and sales. All resources created are meant to assist in getting seafood products to market. The resources include regulatory guides that outline the regulations applicable to different avenues of sale and topical guides that provide more detailed information on the various requirements mentioned throughout the regulatory guides. This guide focuses on the regulatory structure that dictates the sale of farmed seafood in New York.



Photo Credit: Upward Farms

Interactive Buttons

Throughout this document you will find a variety of buttons that will allow you to interact with the contents and navigate the document. Interactive features can be identified by scrolling the mouse cursor over the buttons and images. The color of the image will change indicating you can click to view the interactive content or navigate to a new page of the document. Some of the most commonly used buttons are explained below.



Regulations Buttons

The regulations buttons depicted above will turn from yellow to blue when you hover over them. When clicked they will pull up the regulations specific to that step in the process flow chart. Each time you click one of these numbered buttons a new set of regulations will appear.

Regulatory Guides Navigation Buttons

Each of the blue buttons on the flowchart that indicate the buyer will turn white when scrolled over as depicted below.



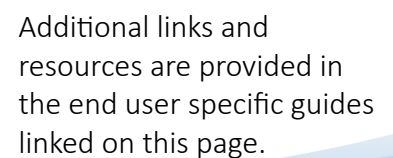
If you are interested in jumping to a regulatory guide specific to a particular buyer for the product you are selling, for example: whole unprocessed seafood to consumers at a farm or fish stand, you can simply click on the “Farm/Fish Stand” button under “sell as is (whole)” and you will be brought to the page of the guide that outlines all regulatory requirements for selling your seafood to that buyer.

Returning to Flowchart and Table of Contents

Throughout the document you will see the “Flowchart” and “Table of Contents” buttons depicted below. Click on them to quickly navigate back to the flowchart or table of contents, respectively.

[Flowchart](#)

[Table of Contents](#)



Selling Whole Unprocessed Seafood Wholesale in NY

This guide covers the requirements for selling whole unprocessed farmed seafood to a variety of wholesale buyers in NY. Wholesale buyers include:

Processors

- » Selling directly to other seafood processors.

Restaurants

- » Selling directly to restaurants and other food service establishments where foods are prepared, portioned for consumption, and sold.

Retailers

- » Selling directly to seafood retail outlets.

Wholesalers

- » Selling directly to wholesale buyers or distributors.

Institutions

- » Selling directly to institutions (schools, hospitals, senior living etc.).

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain Aquaculture Permits /Licenses from the Department of Environmental Conservation (DEC). [Aquaculture Licenses/Permits](#) issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489).

Selling Seafood Wholesale

- 2.** When selling whole seafood (not processed in 20-C HACCP compliant facility) directly to processors and wholesalers, be sure to consider the regulations in place regulating the sourcing and handling of foods to ensure food safety hazards are controlled. These buyers will be looking for products from you that can meet these standards. Learn more about the hazards that should be considered/controlled by fishermen to ensure marketability in NYSG Seafood Guide #2.
- 3.** State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

Checklist for Unprocessed Seafood Sold Wholesale

- ☐ Aquaculture Permit
- ☐ Hazard Analysis and written HACCP Plan, if necessary
- ☐ Compliance with labeling requirements

Selling Processed Seafood Wholesale in NY

This guide covers the requirements for selling processed farmed seafood to a variety of wholesale buyers in NY. Wholesale buyers include:

Processors

- » Selling directly to other seafood processors.

Restaurants

- » Selling directly to restaurants and other food service establishments where foods are prepared, portioned for consumption, and sold.

Retailers

- » Selling directly to seafood retail outlets.

Wholesalers

- » Selling directly to wholesale buyers or distributors.

Institutions

- » Selling directly to institutions (schools, hospitals, senior living etc.).

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1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits/Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489).

Seafood Processing

2. Growers interested in selling fish that is processed in any way (other than whole) must possess a [20-C Food Processing](#) License from the Department of Agriculture and Markets (AgM) and meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP's, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

- » The [Institute for Food Safety at Cornell](#) manages an online GMP training program.

2.4. Implement sanitation control procedures and monitoring as outlined in [Title 21CFR123.11](#). For more detailed information on sanitation, review NYSG Seafood Guide #5 on Sanitation.

2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

HACCP Plan Assistance

While there are consultants who will write HACCP plans, every operation must have a trained individual on site to implement and monitor the HACCP plan. A list of potential consultants is maintained by the [Seafood Network Information Center](#). The cost of having a consultant draft your HACCP plan will vary depending on the consultant and complexity of your plan. Local extension professionals are also available through [New York Sea Grant](#) and the [Cornell Food Venture Center](#) to provide guidance.

HACCP Training

While there is no specific training required, the Seafood HACCP Alliance led by the Association of Food and Drug Officials (AFDO) manages a standardized curriculum recognized by US regulatory agencies. On average the training takes 16-20 hours and costs between \$150 and \$700. Course information can be found on the [AFDO](#) website. For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.



New York Sea Grant provides Seafood HACCP training and guidance. Find more information in NYSG Seafood Guide #3 on Seafood HACCP.

Checklist for Selling Processed Seafood Wholesale

- ☐ Aquaculture Permit
- ☐ 20-C Processing License
- ☐ AGM Inspection
- ☐ Seafood HACCP Trained Individual
- ☐ Seafood HACCP Plan
- ☐ GMP Compliance
- ☐ Sanitation Control Program
- ☐ FDA Facility registration, if necessary
- ☐ Compliance with labeling requirements



Photo Credit: Hudson Valley Fisheries

Selling Processed Seafood Through E-Commerce

This guide covers the requirements for selling processed farmed seafood through e-commerce platforms in NY.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

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Seafood Processing

2. Growers interested in selling fish that is processed in any way (other than whole) must conduct all processing in a [20-C Food Processing](#) facility licensed by the Department of Agriculture and Markets (AgM). Licensed facilities will have to meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP's, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

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2.4. Implement sanitation control procedures and monitoring as outlined in [Title 21CFR123.11](#). For more detailed information on sanitation, review NYSG Seafood Guide #5 on Sanitation.

2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

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training and guidance.
Find more information in
NYSG Seafood Guide #3 on Seafood HACCP.**



E-Commerce Sales

3. E-commerce is the selling of seafood products direct to consumers through online platforms.

3.1. When selling pre-packaged seafood, it must meet the packaging and labeling requirements in [1 NYCRR 221](#). See NYSG Seafood Guide #1.

3.2. Growers who wish to sell directly to consumers should ensure they are familiar with the Federal Trade Commission's (FTC) requirements for businesses marketing online.

3.3. Growers who wish to sell directly to consumers online must comply with federal laws [prohibiting unfair or deceptive advertising](#).

3.4. The FTC provides guidance on how small businesses can [maintain cybersecurity](#) and handle [data security](#) to protect the personal information of consumers using online services.

3.5. If you are considering e-commerce sales check out several existing platforms that could assist you in getting online. This list of e-commerce platforms is not exhaustive and NYSG does not endorse any of the platforms linked: [Barn2Door](#) | [Cropolis](#) | [Farmigo](#) | [Food4All](#) | [Local Food Marketplace](#) | [Local Line](#) | [SaleFish](#) | [WIX](#) | [Square](#) | [WOO Commerce](#) | [Squarespace](#) | [Open Food Network](#) | [GrazeCart](#) | [Harvie](#) | [OurHarvest](#) | [WhatsGood](#) | [CSAware](#) | [Farmers Web](#) | [GrownBy](#) | [Harvest Hand](#) | [Local Orbit](#) | [Shopify](#)

3.6. When selling seafood through e-commerce be sure to determine shipping and delivery methods that will ensure buyers receive safe high quality products. For more information refer to NYSG Seafood Guide #8 on best practices for seafood delivery and shipping.



E-Commerce Checklist

- ☐ Aquaculture Permit
- ☐ 20-C Processing License
- ☐ AgM inspection
- ☐ Seafood HACCP trained individual
- ☐ Seafood HACCP plan
- ☐ GMP compliance
- ☐ Sanitation control program
- ☐ FDA facility registration, if necessary
- ☐ Compliance with labeling requirements
- ☐ Online sales platform
- ☐ Shipping and delivery logistics

Selling Whole Unprocessed Seafood Through E-Commerce

This guide covers the requirements for selling whole unprocessed farmed seafood through e-commerce platforms in NY.

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1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

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2.6. When selling whole fish (not processed in a 20-C HACCP compliant facility) directly to consumers, be sure to consider seafood safety hazards typically controlled by wholesale or retail operators. While there are no regulations that require this, taking these precautions can enhance the quality of your catch and limit the risk of illness to consumers. Learn more about these hazards in NYSG Seafood Guide #2 on controlling hazards.

2.7. When selling seafood through e-commerce be sure to determine shipping and delivery methods that will ensure buyers receive safe high quality products. For more information refer to NYSG Seafood Guide #8 on best practices for seafood delivery and shipping.

Checklist for Live/Whole Seafood in E-Commerce

- ☐ Aquaculture Permit
- ☐ Compliance with labeling requirements
- ☐ Potential Hazards Considered to enhance marketability
- ☐ Online sales platform
- ☐ Shipping and delivery logistics

Selling Processed Seafood at Farm/Fish Stands

This guide covers the requirements for selling processed farmed seafood at Farm/Fish Stands in NY.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

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Seafood Processing

2. Growers interested in selling fish that is processed in any way (other than whole) must conduct all processing in a [20-C Food Processing](#) facility licensed by the Department of Agriculture and Markets (AgM). Licensed facilities will have to meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP's, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

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2.4. Implement sanitation control procedures and monitoring as outlined in [Title 21CFR123.11](#). For more detailed information on sanitation, review NYSG Seafood Guide #5 on Sanitation.

2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

HACCP Training

While there is no specific training required, the Seafood HACCP Alliance led by the Association of Food and Drug Officials manages a standardized curriculum recognized by US regulatory agencies. On average the training takes 16-20 hours and costs between \$150 and \$700. Course information can be found on the [Association of Food and Drug Officials](#) website.

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Find more information in
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Farm/Fish Stand

Selling direct to consumers at farmers markets or roadside stands.

Farm/Fish Stand Requirements

3. Farm/Fish stands or markets will be subject to inspection by the [Department of Agriculture and Markets](#) and must be in compliance with the State food sanitation requirements in [Article 17](#) of the Agriculture and Markets Law. In addition, all packaged food sold must be properly labeled according to NY State [food labeling requirements](#).

3.1. Individual municipalities may have their own licensing/permitting requirements. You should reach out to the local municipality to inquire about any additional regulations. The [New York State Department of Health](#) provides links to the websites of each county's health department. An overview of municipal rules specific to seafood sales is available on the New York Sea Grant Website.

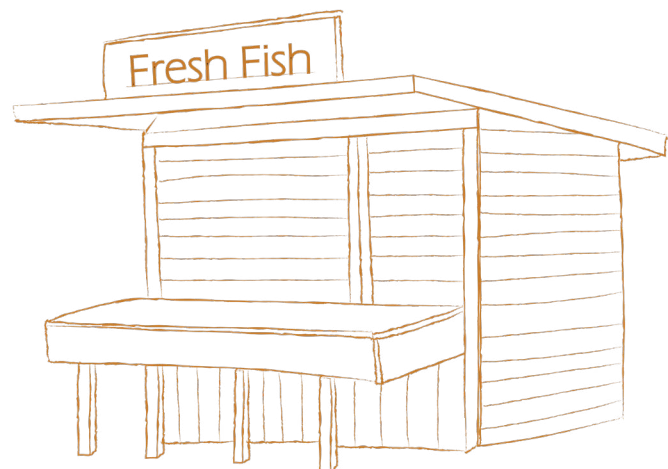
4. When selling seafood products by weight, signage indicating price should be displayed and these products must be weighed on a [National Type Evaluation Program \(NTEP\)](#) certified scale, which has been inspected and sealed by a county Weights and Measures Inspector.

4.1. The Department of Weights and Measures should be notified when a new or new-to-you scale will be used or if the official seal has been removed or damaged for repairs.

4.2. Check with your county Weights and Measures Office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)

5. Businesses that seek to set up a direct marketing operation must be aware that a change in land use might require additional permitting and authorization by your local zoning authority, city council, etc.

6. If selling prepared foods intended for on-site or immediate consumption, you will also need to meet the requirements of a temporary food service establishment.



Checklist for Processed Farmed Seafood at Farm/Fish Stands

- ☐ Aquaculture Permit
- ☐ 20-C Processing License
- ☐ AgM inspection
- ☐ Seafood HACCP trained individual
- ☐ Seafood HACCP plan
- ☐ GMP compliance
- ☐ Sanitation control program
- ☐ FDA facility registration, if necessary
- ☐ Compliance with labeling requirements (Price signage)
- ☐ Certified & inspected scale

Selling Whole Unprocessed Seafood at Farm/Fish Stands

This guide covers the requirements for selling whole unprocessed farmed seafood at farm/fish stands in NY.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

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2. Farm/Fish stands or markets will be subject to inspection by the [Department of Agriculture and Markets](#) and must be in compliance with the State food sanitation requirements in [Article 17](#) of the Agriculture and Markets Law. In addition, all packaged food sold must be properly labeled according to NY State [food labeling requirements](#).

2.1. Individual municipalities may have their own licensing/permitting requirements. You should reach out to the local municipality where the stand is located to inquire about additional regulations. The [New York State Department of Health](#) provides links to the websites of each county's health department.

3. When selling seafood products by weight, signage indicating price should be displayed and these products must be weighed on a [National Type Evaluation Program \(NTEP\)](#) certified scale, which has been inspected and sealed by a county Weights and Measures Inspector.

3.1. The Department of Weights and Measures should be notified when a new or new-to-you scale will be used or if the official seal has been removed or damaged for repairs.

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6. When selling whole fish (not processed in a 20-C HACCP compliant facility) directly to consumers, be sure to consider seafood safety hazards typically controlled by wholesale or retail operators. While there are no regulations that require this, taking these precautions can enhance the quality of your catch and limit the risk of illness to consumers. Learn more about these hazards in NYSG Seafood Guide #2.

Checklist for Whole Unprocessed Seafood at Farm/Fish Stands

- ☐ Aquaculture Permits
- ☐ Check for local zoning requirements or restrictions
- ☐ Appropriate price signage
- ☐ Compliance with labeling requirements (price signage)
- ☐ Certified & inspected scale

Selling Seafood at Mobile Food Service Locations

This guide covers the requirements for selling farmed seafood at mobile food service establishments such as food truck and carts.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

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Seafood Processing

If seafood is prepared for sale and consumption from its whole form at mobile food service locations, it is not subject to the AgM “seafood processing” requirements listed below. These apply when fish are processed (i.e. filleted) in advance and then those products are used for on-site food preparation. Check with your local Department of Health (DOH) to determine if onsite processing of whole seafood is allowed.

2. Growers interested in selling fish that is processed in any way (other than whole) must conduct all processing in a [20-C Food Processing](#) facility licensed by the Department of Agriculture and Markets (AgM). Licensed facilities will have to meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP’s, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

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2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

HACCP Training

While there is no specific training required, the Seafood HACCP Alliance led by the Association of Food and Drug Officials manages a standardized curriculum recognized by US regulatory agencies. On average the training takes 16-20 hours and costs between \$150 and \$700. Course information can be found on the [Association of Food and Drug Officials](#) website.

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Mobile Food Service

Selling prepared foods direct to consumers through mobile food service establishments (push carts, food trucks etc.).

Mobile Food Service Requirements

3. Growers interested in selling seafood (retail food service) must comply with the sanitation rules and regulations of the local Department of Health (DOH). Statewide sanitation rules and regulations can be found in [10NYCRR 14-4](#). You should also check with your local DOH to determine more stringent sanitary requirements specific to your county.

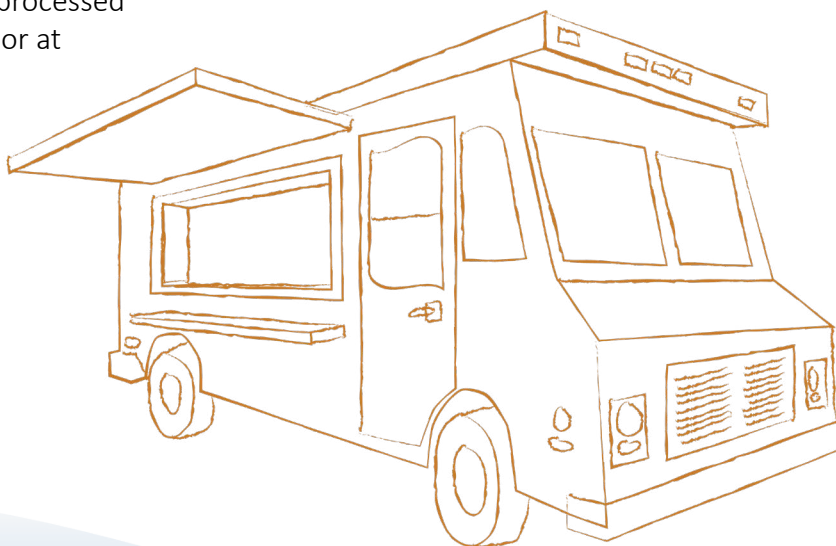
3.1. The [New York State Department of Health](#) provides links to the websites of each county's DOH.

» Guidance on mobile food service for Suffolk County is available [here](#).

4. Food trucks, push carts, and mobile food establishments in some jurisdictions cannot sell ready-to-eat raw or undercooked seafood. [Article 89 \[89.19\(f\)\(2\)\]](#) of the [NYC health code](#) prohibits the sale of raw seafood products from mobile food vendors in New York City. However, mobile food vendors in New York City may sell cooked or reheated seafood products provided they are manufactured, processed and prepared at a mobile food commissary or at another licensed and approved facility.

Checklist for Mobile Food Service

- ☐ Aquaculture Permits
- ☐ DOH sanitation rules compliance
- ☐ Check local restrictions
- ☐ If processing into other forms for preparation on site.
- ☐ 20-C Processing License
- ☐ AgM inspection
- ☐ Seafood HACCP trained individual
- ☐ Seafood HACCP plan
- ☐ GMP compliance
- ☐ Sanitation control program
- ☐ FDA facility registration, if necessary



Selling Seafood at Temporary Food Service Locations

This guide covers the requirements for selling farmed seafood at temporary food service locations such as fairs, festivals, and other events.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489).

Seafood Processing

If seafood is prepared for sale and consumption from its whole form at temporary food service locations, it is not subject to the AgM “seafood processing” requirements listed below. These apply when fish are processed (i.e. filleted) in advance and then those products are used for on-site food preparation. Check with your local Department of Health (DOH) to determine if onsite processing of whole seafood is allowed.

2. Growers interested in selling fish that is processed in any way (other than whole) must conduct all processing in a [20-C Food Processing](#) facility licensed by the Department of Agriculture and Markets (AgM). Licensed facilities will have to meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP’s, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

» The [Institute for Food Safety at Cornell](#) manages an online GMP training program.

2.4. Implement sanitation control procedures and monitoring as outlined in [Title 21CFR123.11](#). For more detailed information on sanitation, review NYSG Seafood Guide #5 on Sanitation.

2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

New York Sea Grant provides Seafood HACCP training and guidance. Find more information in NYSG Seafood Guide #3 on Seafood HACCP.



HACCP Training

While there is no specific training required, the Seafood HACCP Alliance led by the Association of Food and Drug Officials manages a standardized curriculum recognized by US regulatory agencies. On average the training takes 16-20 hours and costs between \$150 and \$700. Course information can be found on the [Association of Food and Drug Officials](#) website.

Temporary Food Service

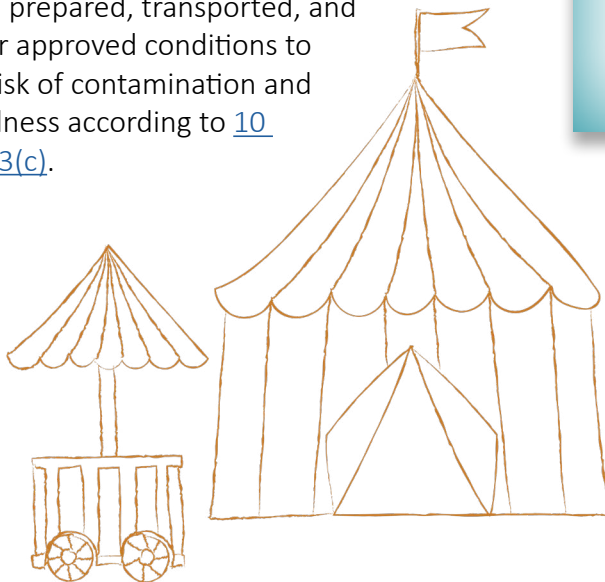
Selling products direct to consumers for consumption periodically at temporary events such as fairs and festivals.

Temporary Food Service Requirements

3. Growers interested in selling processed fish at temporary food service locations/establishments must comply with the Department of Health (DOH) sanitation rules and regulations. Statewide rules and regulations for temporary food service can be found in [10NYCRR 14-2](#). You should also check with your [local DOH](#) to determine if there are more stringent requirements specific to your county.

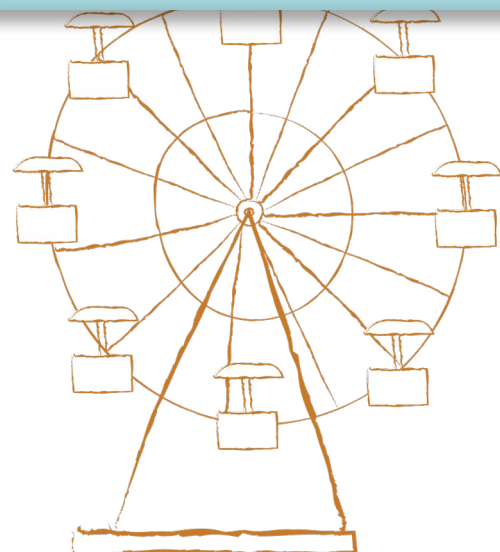
3.1. Additional information on requirements for temporary food service events in Suffolk County can be found [here](#).

4. Temporary food service establishments in New York can only sell ready-to-eat fish that require only limited preparation such as seasoning and cooking. The fish must also be prepared, transported, and served under approved conditions to reduce the risk of contamination and foodborne illness according to [10 NYCRR 14-2.3\(c\)](#).



Checklist for Temporary Food Service

- ☐ Aquaculture Permits
- ☐ DOH sanitation rules compliance
- ☐ Check local restrictions
- ☐ If processing into other forms for preparation on site.
- ☐ 20-C Processing License
- ☐ AgM inspection
- ☐ Seafood HACCP trained individual
- ☐ Seafood HACCP plan
- ☐ GMP compliance
- ☐ Sanitation control program
- ☐ FDA facility registration, if necessary



Selling Processed Seafood off the Boat or Farm

This guide covers the requirements for selling processed farmed seafood off the boat or farm.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489)..

Seafood Processing

2. Growers interested in selling fish that is processed in any way (other than whole) must conduct all processing in a [20-C Food Processing](#) facility licensed by the Department of Agriculture and Markets (AgM). Licensed facilities will have to meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP's, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

» The [Institute for Food Safety at Cornell](#) manages an online GMP training program.

2.4. Implement sanitation control procedures and monitoring as outlined in [Title 21CFR123.11](#). For more detailed information on sanitation, review NYSG Seafood Guide #5 on Sanitation.

2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

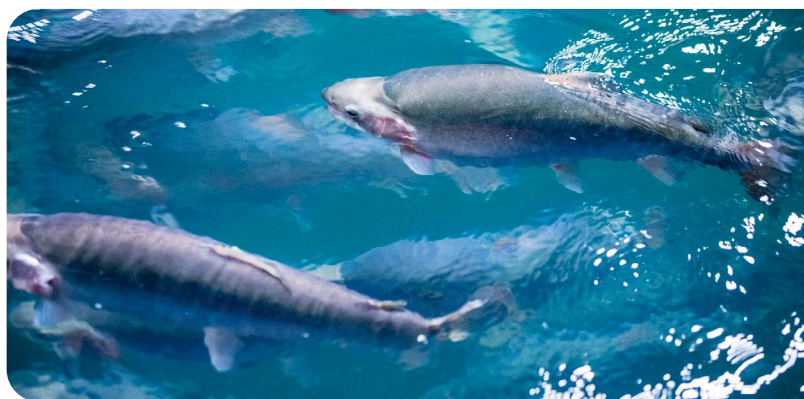


Photo Credit: Hudson Valley Fisheries

HACCP Training

While there is no specific training required, the Seafood HACCP Alliance led by the Association of Food and Drug Officials manages a standardized curriculum recognized by US regulatory agencies. On average the training takes 16-20 hours and costs between \$150 and \$700. Course information can be found on the [Association of Food and Drug Officials](#) website.

**New York Sea Grant
provides Seafood HACCP
training and guidance.
Find more information in
NYSG Seafood Guide #3 on Seafood HACCP.**



Checklist for Selling off the Boat or Farm

Off the Boat/Farm Requirements

3. Check with your local municipality and harbor to ensure that they do not have restrictions or require rezoning should direct sales at that location take place.

4. When selling seafood products by weight, signage indicating price should be displayed and these products must be weighed on a [National Type Evaluation Program \(NTEP\)](#) certified scale, which has been inspected and sealed by a county Weights and Measures Inspector.

4.1. The Department of Weights and Measures should be notified when a new or new-to-you scale will be used or if the official seal has been removed or damaged for repairs.

5. Check with your county Weights and Measures Office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)

- ☐ Aquaculture Permit
- ☐ Check for local zoning requirements or restrictions
- ☐ 20-C Processing License
- ☐ AgM inspection
- ☐ Seafood HACCP trained individual
- ☐ Seafood HACCP plan
- ☐ GMP compliance
- ☐ Sanitation control program
- ☐ FDA facility registration, if necessary
- ☐ Compliance with labeling requirements (price signage)
- ☐ Certified & inspected scale

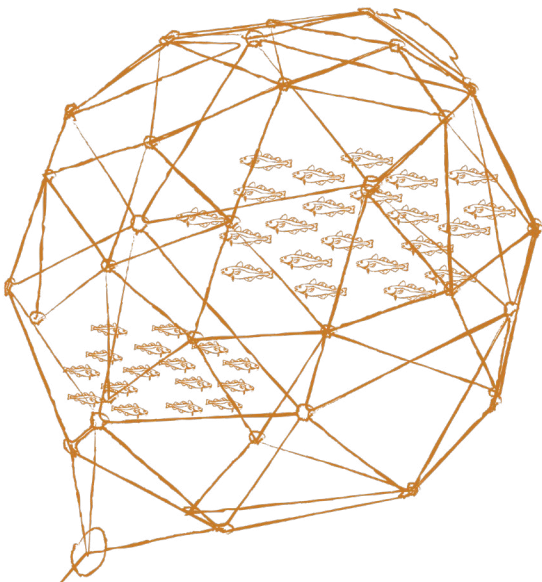


Photo Credit: Hudson Valley Fisheries

Selling Whole Unprocessed Seafood off the Boat or Farm

This guide covers the requirements for selling whole unprocessed farmed seafood off the boat or farm.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits/Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing bivalve molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489).

Off the Boat/Farm Checklist

- ☐ Aquaculture Permit?
- ☐ Check for local zoning requirements or restrictions?
- ☐ Compliance with labeling requirements (price signage)?
- ☐ Certified & inspected scale?

Off the Boat/Farm Requirements

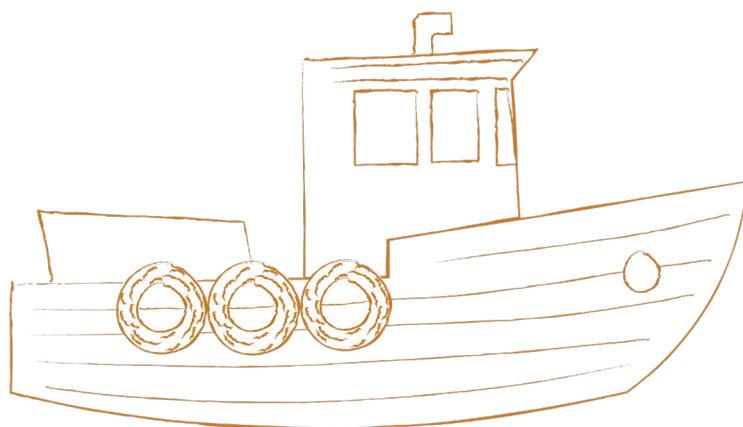
2. Check with your local municipality and harbor to ensure that they do not have restrictions or require rezoning should direct sales at that location take place.

3. When selling seafood products by weight, signage indicating price should be displayed and these products must be weighed on a [National Type Evaluation Program \(NTEP\)](#) certified scale, which has been inspected and sealed by a county Weights and Measures Inspector.

3.1. The Department of Weights and Measures should be notified when a new or new-to-you scale will be used or if the official seal has been removed or damaged for repairs.

4. Check with your county Weights and Measures Office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)

5. When selling whole fish (not processed in a 20-C HACCP compliant facility) directly to consumers, be sure to consider seafood safety hazards typically controlled by wholesale or retail operators. While there are no regulations that require this, taking these precautions can enhance the quality of your catch and limit the risk of illness to consumers. Learn more about these hazards in NYSG Seafood Guide #2.



Selling Processed Seafood Through CSFs

This guide covers the requirements for selling processed farmed seafood through Community Supported Fisheries or CSFs.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing bivalve molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489).

Seafood Processing

2. Growers interested in selling fish that is processed in any way (other than whole) must conduct all processing in a [20-C Food Processing](#) facility licensed by the Department of Agriculture and Markets (AgM). Licensed facilities will have to meet the following requirements:

2.1. Have at least one [Seafood HACCP trained](#) individual or individual with relevant experience as described in the federal Seafood HACCP Regulation ([Title 21CFR123](#)).

2.2. Have a written Seafood HACCP plan compliant with the Seafood HACCP Regulation [Title 21CFR123](#). For more detailed information on HACCP, review NYSG Seafood Guide #3 on Seafood HACCP.

2.3. Comply with the current good manufacturing practices (GMP) in [Title 21CFR117 Subpart B](#). For more detailed information on GMP's, review NYSG Seafood Guide #4 on Good Manufacturing Practices.

» The [Institute for Food Safety at Cornell](#) manages an online GMP training program.

2.4. Implement sanitation control procedures and monitoring as outlined in [Title 21CFR123.11](#). For more detailed information on sanitation, review NYSG Seafood Guide #5 on Sanitation.

2.5. Growers interested in selling out of state will also be subject to FDA regulation and inspection which may require the business to register as an [FDA Food Facility](#).

2.6. State and federal labeling requirements are applicable to all avenues of commercial sale, see NYSG Seafood Guide #1 for more information on labeling.

HACCP Training

While there is no specific training required, the Seafood HACCP Alliance led by the Association of Food and Drug Officials manages a standardized curriculum recognized by US regulatory agencies. On average the training takes 16-20 hours and costs between \$150 and \$700. Course information can be found on the [Association of Food and Drug Officials](#) website.

**New York Sea Grant
provides Seafood HACCP
training and guidance.
Find more information in
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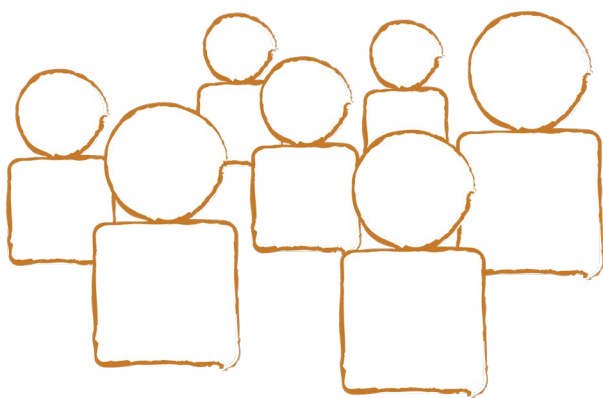
Community Supported Fishery

Advanced sales of the seafood harvested and processed to consumers in advance of harvest, selling shares of an annual harvest to a group of “members.”

CSF Requirements

3. Other than those already listed in sections 1 and 2 above, there are no CSF specific regulatory requirements, however, your product distribution channels may warrant additional regulation. For example, if distributing through e-commerce or at local fish/farm stands, see those guides for more information and additional considerations.

4. When selling pre-packaged seafood there are specific labeling requirements that must be followed, see NYSG Seafood Guide #1.



CSF Checklist for Processed Seafood

- ☐ Aquaculture Permit
- ☐ Check for local zoning requirements or restrictions
- ☐ 20-C Processing License
- ☐ AGM inspection
- ☐ Seafood HACCP trained individual
- ☐ Seafood HACCP plan
- ☐ GMP compliance
- ☐ Sanitation control program
- ☐ FDA facility registration, if necessary
- ☐ Compliance with labeling requirements



Photo Credit: Hudson Valley Fisheries

Selling Whole Unprocessed Seafood Through CSFs

This guide covers the requirements for selling whole unprocessed farmed seafood through Community Supported Fisheries or CSFs.

Aquaculture

1. Aquaculture operations (growers) in NY state must obtain [Aquaculture Permits /Licenses](#) from the Department of Environmental Conservation (DEC). Aquaculture Permits/Licenses issued by DEC permit growers to grow and sell their products, no additional dealers permits are required unless growing bivalve molluscan shellfish species (See molluscan shellfish regulatory guide).

1.1. Freshwater aquaculture is permitted/licensed through the Bureau of Fisheries (518-402-8924).

1.2. Marine aquaculture is permitted/licensed through the Division of Marine Resources (631-444-0489).

CSF Requirements

2. Other than having the proper aquaculture permits there are no CSF specific regulatory requirements, however, your product distribution channels may warrant additional regulation. For example, if distributing through e-commerce or through local fish/farm stands, see those guides for more information and additional considerations.

3. When selling pre-packaged seafood there are specific labeling requirements that must be followed, see NYSG Seafood Guide #1.

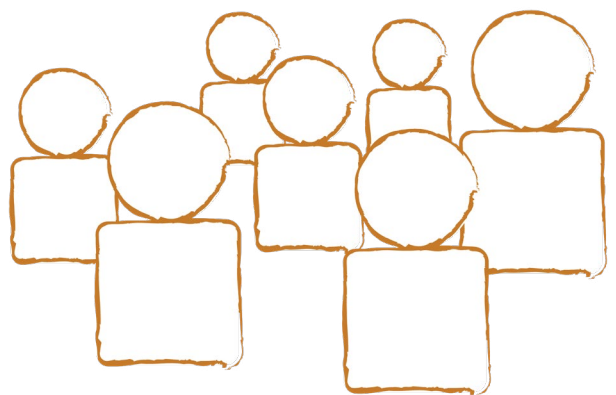
4. When selling whole fish (not processed in a 20-C HACCP compliant facility) directly to consumers, be sure to consider seafood safety hazards typically controlled by wholesale or retail operators. While there are no regulations that require this, taking these precautions can enhance the quality of your catch and limit the risk of illness to consumers. Learn more about these hazards in NYSG Seafood Guide #2.

Community Supported Fishery

Advanced sales of the seafood harvested and processed to consumers in advance of harvest, selling shares of an annual harvest to a group of “members.”

CSF Checklist for Whole Unprocessed Seafood

- ☐ Aquaculture Permit
- ☐ Additional requirements for distribution type
- ☐ Compliance with labeling requirements



Additional Resources

Regulatory

Resource	Link
GMP Regulation	bit.ly/GMPRegulation
New York State (NYS) Laws	nysenate.gov/legislation/laws/CONSOLIDATED
NYS Codes, Rules, and Regulations	regs.health.ny.gov
NYS Department of Agriculture and Markets (AgM)	agriculture.ny.gov/food-safety
NYS AgM Laws and Regulations	agriculture.ny.gov/laws-regulations
NYS Department of Environmental Conservation (DEC)	https://www.dec.ny.gov/outdoor/110882.html
NYS DEC Laws and Regulations	dec.ny.gov/regulations/regulations.html
Seafood HACCP FAQ's	bit.ly/SeafoodHACCPFAQ
Seafood HACCP Regulation	bit.ly/SeafoodHACCPRegulation

Academic/Educational

Resource	Link
Cornell Cooperative Extension (CCE) Suffolk County	ccesuffolk.org/marine
Cornell Food Venture Center	cfvc.foodscience.cals.cornell.edu
Institute for Food Safety at Cornell	instituteforfoodsafety.cornell.edu
New York Sea Grant	seagrantsunysb.edu/seafood
Seafood Network Information Center	seafood.oregonstate.edu
Stony Brook Small Business Development Center	stonybrook.edu/sbdc

Marketing

Resource	Link
CCE Suffolk Local F.I.S.H. Program	localfish.org
Choose Long Island	chooseli.org
Fishermen's Direct Marketing Manual	bit.ly/MarketingManual
Local Catch	localcatch.org
Market Your Catch	marketyourcatch.msi.ucsb.edu
Seafood Network Information Center	bit.ly/SNICSeafoodMarketing