

# Regulatory Guide to Marketing Wild Caught Seafood in New York



Photo Credit (left to right): Photo 1 August Ruckdeschel, Photo's 2-3 CCE Suffolk County Marine program

This regulatory guide was created by New York Sea Grant with assistance from members of the New York 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 shellfish 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 wild caught seafood (finfish, crustaceans, and non-bivalve mollusks) in New York.



### 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.

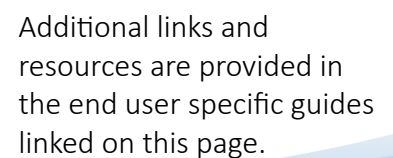


If you are interested in jumping to a regulatory guide specific to a particular buyer for the product you are selling, for example: whole unprocessed seafood to consumers at a farm or fish stand, you can simply click on the “Farm/Fish Stand” button under “sell as is (whole)” and you will be brought to 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 wild caught seafood to a variety of wholesale buyers in NY. Wholesale buyers include:**

## Processors

- » Selling directly to other seafood processors.

## Restaurants (Food Service)

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

## Retailers

- » Selling directly to seafood retail outlets.

## Wholesalers

- » Selling directly to wholesale buyers (fish buyers) or distributors.

## Institutions (Food Service)

- » Selling directly to institutions where foods are prepared, portioned for consumption, and sold or served (schools, hospitals, senior living etc.).

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

**1.3.** Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal fishing permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's Marine Permits and Licenses Webpage.

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Wholesale Sales

**2.** Fishermen who wish to sell seafood wholesale should either ensure the buyers possess the [Food Fish & Crustacea Dealers and Shippers License](#) or possess the License themselves.

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

**4.** 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.

## Checklist for Unprocessed Wholesale

- ☐ Fishing Permit(s)
- ☐ Hazard Analysis? HACCP Plan, if necessary
- ☐ Compliance with labeling requirements
- ☐ Food Fish License

# Selling Processed Seafood Wholesale in NY

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

## Processors

- » Selling directly to other seafood processors.

## Restaurants (Food Service)

- » 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 (fish buyers) or distributors.

## Institutions (Food Service)

- » Selling directly to institutions where foods are prepared, portioned for consumption, and sold or served (schools, hospitals, senior living etc.).

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

**1.3.** Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal fishing permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** NOTE: When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## Wholesale Sales

3. Fishermen who wish to sell seafood wholesale should either ensure the buyers possess the [Food Fish & Crustacea Dealers and Shippers License](#) or possess the License themselves.

4. 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 [NY Sea Grant](#) and the [Cornell Food Venture Center](#) to provide guidance.



Photo Credit: Suffolk CCE Marine Program

## Checklist for Selling Processed Seafood Wholesale

- ☐ Fishing Permit(s)
- ☐ 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
- ☐ Food ish License

## HACCP Training

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



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



# Selling Processed Seafood Through E-Commerce

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

## Wild Harvest

**1. Commercial Fishing Licenses** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## HACCP Training

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



## E-commerce

Selling whole unprocessed seafood direct to consumers through online platforms.

### E-Commerce Sales

**3.** Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

**4.** To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

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

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

**7.** 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.

**8.** 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](#)



### E-Commerce Checklist

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Federal Seafood Dealer Permit, if necessary
- ☐ 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 wild caught seafood through e-commerce platforms in NY.

## Wild Harvest

1. [Commercial Fishing Licenses](#) issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## E-commerce

Selling whole unprocessed seafood direct to consumers through online platforms.

## E-Commerce Sales

2. Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

3. To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

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

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



Photo Credit: Suffolk CCE Marine Program

**6.** 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.

**7.** 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](#)

**8.** When selling whole seafood (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 Live/Whole Seafood in E-Commerce

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Federal Seafood Dealer Permit, if necessary
- ☐ Compliance with labeling requirements
- ☐ Potential hazards considered to enhance marketability
- ☐ Online sales platform
- ☐ Shipping and delivery logistics



Photo Credit: Blue Moon Fish



# Selling Processed Seafood at Farm/Fish Stands

This guide covers the requirements for selling processed wild caught seafood at Farm or Fish Stands in NY.

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## HACCP Training

New York Sea Grant provides Seafood HACCP training and guidance.

Find more information in

NYSG Seafood Guide #3 on Seafood HACCP.







## Farm/Fish Stand

Selling direct to consumers at farmers markets or roadside stands.

### Farm/Fish Stand Requirements

- 3.** Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).
- 4.** To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.
- 5.** Farm/Fish stands or markets will be subject to inspection by the [Department of Agriculture and Markets](#) (AgM) and must be in compliance with the State food sanitation requirements in [Article 17](#) of the Agriculture and Markets Law. For more detailed information refer to the AgM [guidance on sanitary regulations for New York State farmers market vendors](#). In addition, all packaged food sold must be properly labeled according to NY State [food labeling requirements](#).
  - 5.1.** 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 NY Sea Grant Website.
  - 5.2.** 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.
    - » You can find a list of Counties in NY and their municipalities on the [NY State Website](#).
    - » You can search laws by municipality in the [General Code Library](#).

**6.** 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.

- 6.1.** 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.
- 6.2.** Check with your county weights and measures office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)
- 7.** 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

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Federal Seafood Dealer Permit, if necessary
- ☐ 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 wild caught seafood at farm or fish stands in NY.

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Farm/Fish Stand

Selling whole unprocessed seafood direct to consumers at farmers markets or roadside stands.

## Farm/Fish Stand Sales

**2.** Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

**3.** To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

**4.** Farm/Fish stands or markets will be subject to inspection by the [Department of Agriculture and Markets \(AgM\)](#) and must be in compliance with the State food sanitation requirements in Article 17 of the Agriculture and Markets Law. For more detailed information refer to the AgM guidance on sanitary regulations for New York State farmers market vendors. In addition, all packaged food sold must be properly labeled according to NY State [food labeling requirements](#).

**4.1.** 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 NY Sea Grant Website.

**4.2.** 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.

» You can find a list of Counties in NY and their municipalities on the [NY State Website](#).

» You can search laws by municipality in the [General Code Library](#).

## Checklist for Whole Unprocessed Seafood at Farm/Fish Stands

**5.** 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.

**5.1.** 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.

**5.2.** Check with your county weights and measures office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)

**6.** When selling whole seafood (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.

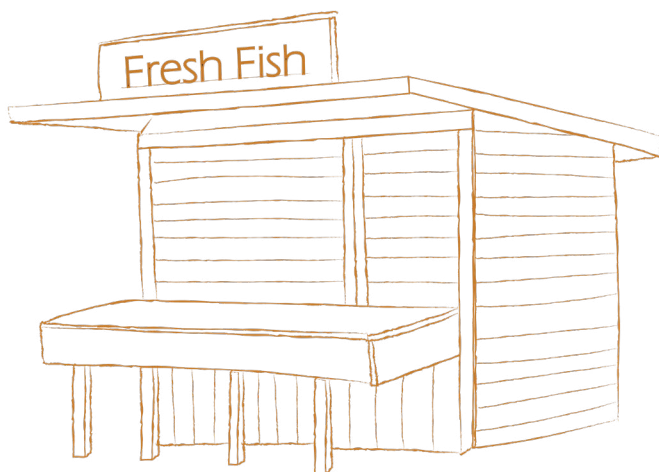


Photo Credit: Suffolk CCE Marine Program

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Seafood Dealer Permit, if necessary
- ☐ Check for local zoning requirements or restrictions
- ☐ Appropriate price signage
- ☐ Compliance with labeling requirements
- ☐ Certified & inspected scale



Photo Credit: Blue Moon Fish

# Selling Seafood at Mobile Food Service Locations

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

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## HACCP Training

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





## Mobile Food Service

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

### Mobile Foodservice Requirements

**3.** Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

**4.** To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

**5.** Fishermen 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.

**5.1.** 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](#).

**6.** 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. [NYC Health Code 89.19\(f\)\(2\)](#).

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 on the preceding page. 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 to determine if onsite processing of whole seafood is allowed.

### Checklist for Mobile Food Service

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Seafood Dealer Permit, if necessary
- ☐ DOH sanitation rules compliance
- ☐ Check local restrictions
- ☐ If processing in any way before 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 wild caught seafood at temporary food service locations such as fairs, festivals, and other events.

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## HACCP Training

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



## Temporary Food Service

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

If seafood is prepared from its whole form at temporary food service locations it is not subject to the AgM “seafood processing” requirements on the preceding page. 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 to determine if onsite processing of whole fish is allowed.

## Temporary Foodservice Requirements

**3.** Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

**4.** To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

**5.** Fishermen interested in selling processed shellfish 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.

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

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

## Checklist for Temporary Food Service

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported?
- ☐ Seafood Dealer Permit, if necessary
- ☐ DOH sanitation rules compliance
- ☐ Check local restrictions
- ☐ If processing in any way before 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 Dock

This guide covers the requirements for selling processed wild caught seafood off the boat or dock.

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## HACCP Training

New York Sea Grant provides Seafood HACCP training and guidance.

Find more information in

NYSG Seafood Guide #3 on Seafood HACCP.



## Off the Boat/Dock

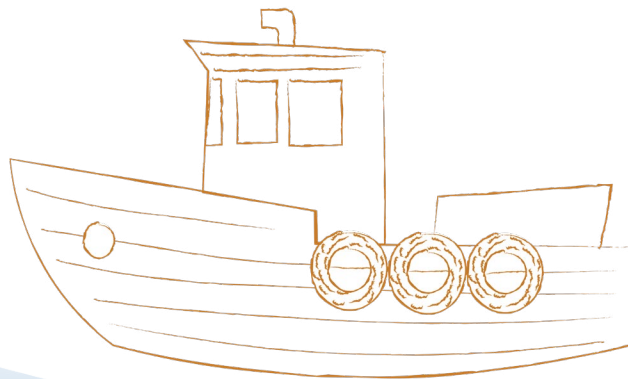
Selling processed seafood direct to consumers from the boat or dock.

### Off the Boat/Dock Requirements

1. Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).
2. To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.
3. While no other restrictions apply other than those mentioned in sections 1 and 2, you should check with your local municipality and harbor to ensure that they do not have restrictions or require re-zoning 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.
    - » Check with your county weights and measures office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)

## Checklist for Selling Processed Seafood off a Boat or Dock

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Seafood Dealer Permit, if necessary
- ☐ 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



# Selling Whole Unprocessed Seafood off the Boat or Dock

**This guide covers the requirements for selling whole unprocessed wild caught seafood off a boat or dock.**

## Wild Harvest

**1.** [Commercial Fishing Licenses](#) issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Off the Boat/Dock

Selling processed seafood direct to consumers from the boat or dock.

## Off the Boat/Dock Requirements

**5.** Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

**6.** To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

**7.** While no other restrictions apply other than those mentioned in sections 1 and 2, you should check with your local municipality and harbor to ensure that they do not have restrictions or require re-zoning should direct sales at that location take place.



Photo Credit: Blue Moon Fish



**8.** 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.

**8.1.** 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.

» Check with your county weights and measures office to schedule an inspection: [Suffolk County](#) | [Nassau County](#) | [New York City](#)

**9.** When selling whole seafood (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 Selling Processed Seafood off a Boat or Dock

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Seafood Dealer Permit, if necessary
- ☐ Check for local zoning requirements or restrictions
- ☐ Compliance with labeling requirements (Price signage)
- ☐ Certified & inspected scale

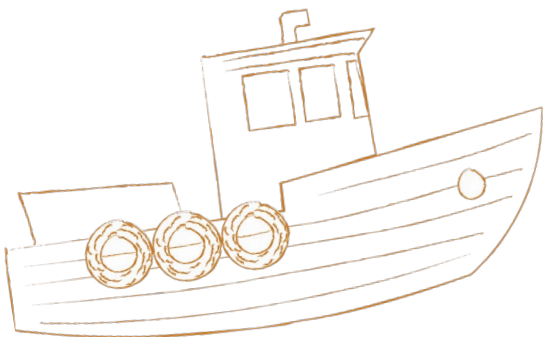


Photo Credit: A. Ruckdeschel

# Selling Processed Seafood Through CSFs

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

## Wild Harvest

**1. [Commercial Fishing Licenses](#)** issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## Seafood Processing

**2.** Fishermen interested in selling seafood 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.

**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.** Fishermen 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](#).

## HACCP Training

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



## Community Supported Fishery

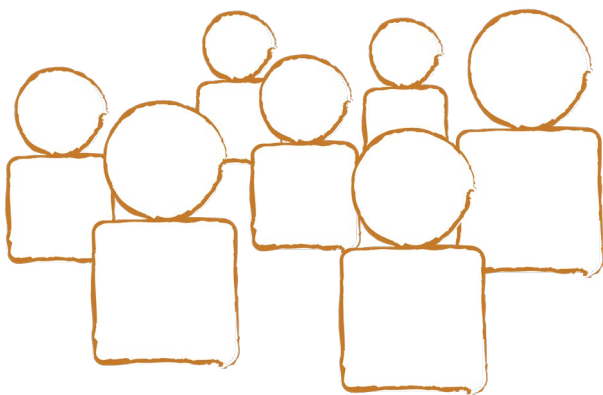
Advanced sales of the seafood harvested and processed to consumers in advance of harvest, selling shares of an annual harvest to a group of “members.”

### CSF Requirements

3. Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).
4. To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.
5. There are no CSF specific regulatory requirements in place other than those outlined in sections 1 and 2, however, your product distribution channels may warrant additional regulation. For example, if distributing through E-commerce see section 11 or if distributing through local fish/farm stands.
6. When selling pre-packaged seafood there are specific labeling requirements that must be followed, see NYSG Seafood Guide #1.

### CSF Checklist for Processed Seafood

- ☐ Fishing Permit(s)
- ☐ Check for local zoning requirements or restrictions
- ☐ VTR direct sales reported
- ☐ Seafood Dealer Permit, if necessary
- ☐ 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





# Selling Whole Unprocessed Seafood Through CSFs

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

## Wild Harvest

1. [Commercial Fishing Licenses](#) issued by the Department of Environmental Conservation (DEC) are required to harvest and to land fish, crustacea, whelk and horseshoe crabs commercially in NY. Each fishing license and permit has specific catch limits, gear restrictions, and reporting requirements that must be followed. Refer to the NY Codes, Rules and Regulations (NYCRR) Chapter 1 ([NYCRR 1](#)) subchapters E and F or visit the DEC's [Commercial Fishing Webpage](#) for detailed information on these restrictions.

**1.1.** To commercially harvest fish in state waters, DEC issues a limited number of [Food Fishing Licenses](#) for qualified new entrants.

**1.2.** To commercially land fish taken from waters outside NYS in NY without a Food Fishing License, fishermen must obtain a [Food Fish Landing License](#) from DEC.

» Fishing in federal waters (between 3 miles and 200 miles offshore) requires [Federal Fishing Permits](#).

**1.4.** To commercially fish in the Hudson River south of the Troy Dam, fishermen must obtain a [Hudson River Marine Permit](#) from DEC.

**1.5.** Additional crustacea, whelk, shellfish, and finfish licenses and permits can be found on the DEC's [Marine Permits and Licenses Webpage](#).

**1.6.** When fishing in freshwater, be sure the fish in those waters are safe for consumption by checking [local consumption advisories on the Department of Health website](#).

## 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

2. Under [ECL 13-0334\(3\)](#), fishermen with commercial fishing licenses (Commercial Food Fish, Commercial Lobster, and Commercial Crab) may sell their harvest directly to consumers so long as the seller reports the direct sales to DEC through vessel trip reports (VTR) pursuant to state regulations [NYCRR Part 40](#).

3. To sell seafood directly to consumers from a federally licensed vessel, one needs a valid federal [Seafood Dealer Permit](#) from NOAA. This applies to all seafood caught in both state and federal waters.

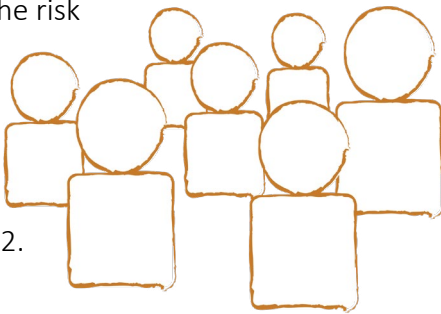
4. There are no CSF specific regulatory requirements in place other than those outlined in sections 1 and 2, however, your product distribution channels may warrant additional regulation. For example, if distributing through E-commerce or through local fish/farm stands.



Photo Credit: Blue Moon Fish

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

6. When selling whole seafood (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.



## CSF Checklist for Whole Unprocessed Seafood

- ☐ Fishing Permit(s)
- ☐ VTR direct sales reported
- ☐ Seafood Dealer Permit, if necessary
- ☐ Additional requirements for distribution type
- ☐ Compliance with labeling requirements



Photo Credit: Blue Moon Fish



# Additional Resources

## Regulatory

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

## Academic/Educational

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

## Marketing

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