

Opportunities for Seafood Marketing and Sales on Long Island

Seafood Sales in Long Island Municipalities

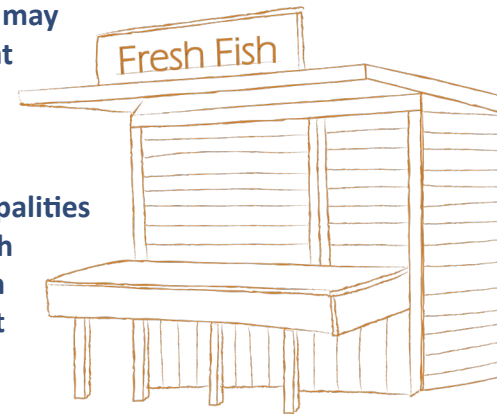
To assist aquaculturists and commercial fishermen interested in the direct sales of seafood on Long Island, New York Sea Grant facilitated efforts to develop resource guides to highlight opportunities statewide. As part of these efforts' local codes and ordinances across Long Island were targeted to help local producers understand local requirements in New York's Marine District. These efforts were aimed at identifying localities on Long Island that had specific codes or ordinances in place governing the sale of seafood products.

Methods

A list of towns and villages in Long Island's Suffolk and Nassau Counties was used to ensure all towns/villages were represented. Towns and villages in [Nassau](#) and [Suffolk](#) counties are listed on each counties website and linked above. A list of key terms that may be relevant to seafood marketing was generated, to assist in the search for relevant regulations. The key terms used included seafood, fish, clams, oysters, agriculture, farm stand, roadside sales, truck stand, and aquaculture. For each locality, the key terms were searched in their legal codes to determine whether there were relevant regulations specific to the sale of seafood. The [General Code Library](#) was the primary search engine used because it linked to most villages' and towns' codes. Although key terms were prioritized in the specific context of seafood, such as "clam," "finfish," and "oyster", whether seafood was included in the locality's definition of agriculture was also determined. When seafood was included in the definition of agriculture, regulations related to agriculture were further explored as they could be relevant to seafood sales. This often presented as an opportunity because certain localities delineated regulations on farm stands, which could then include the possibility of direct seafood marketing.

This research was conducted from October 2020 until January 2021 and changes to local codes and regulations is possible over time. Users should be sure to check with their local municipality and be aware of potential changes.

It is important to note that although certain localities did not explicitly address direct seafood sales or aquaculture in their regulations, it may not imply that it is not permitted. Interested parties should reach out to their local municipalities to ask about such opportunities when considering direct sales of seafood.



Disclaimer

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 and ordinances that are linked throughout this resource and relevant municipal 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.

Suffolk County

The Town of Southold

The Town of Southold's code, [280-4B{154} On-Farm Direct Marketing Building](#) (included on 4/25/2017), delineates the "sale of raw or processed agricultural products that are produced by a bona fide farm operation or a bona fide aquaculture/mariculture farm operation directly to consumers." Southold also describes several other processes relevant to establishing a direct seafood marketing operation, including fish processing and farm stand size. Additional codes can be found in this [spreadsheet](#).

The Town of Riverhead

The Town of Riverhead, on the other hand, does not have a specific regulatory code like Southold, but includes aquaculture products, including fish, fish products, water plants and shellfish in their definition of agricultural product (201-2{2} Agricultural Production). This is furthermore relevant as Riverhead's code on 301-283.2{2} Farm Direct Marketing relates to the "sale of agrifood products directly to the consumer." This code also stresses on the significance of producers building a relationship with their customers through reliable and multiple marketing networks.

The Town of East Hampton

Residents who catch or dig produce (Seafood) of the seas, bays, or harbors may sell such produce from their homes and constitute a "home occupation." These residents must abide by the requirements of a home occupation as defined in [§255-1-20](#).

Other than Southold, Riverhead, and East Hampton, most localities in Suffolk County make no reference to seafood products nor include it in their definition of agricultural product.

Acknowledgement

New York Sea Grant would like to thank Omisha Manglani of Cornell University for her assistance in reviewing local regulations across Long Island and compiling this report.

Nassau County

The Village of Freeport

The Village of Freeport in Hempstead, based on § 210-116 Permitted uses, allows the establishment of structures like buildings in lots, for instance, to sell fish and shellfish at retail or wholesale, and the refrigerated storage of fish. However, it does not explicitly address temporary structures such as truck stands.

The Town of North Hempstead

The Town of North Hempstead, on the other hand, allows for the sale of merchandise (which is not clearly defined) at open-air markets (Ch 116) such as farmers markets after the procurement of a license. There is also a code that highlights the definition of a Peddling Vehicle (118-1A{7}) regarding the sale of food or items intended for human consumption on carts, permitted by the issuance of a license.

The Village of Kings Point

The Village of Kings Point in North Hempstead includes seafood and aquaculture in the definition of agriculture (91-2{2} AGRICULTURE), which is notable. But, in the context of direct seafood marketing, it does not address the possibility of establishing farm stands or truck stands that may allow for the sale of these products.

The Village of Bayville

In the Village of Bayville in Oyster Bay, "fish" is included in the definition of merchandise (48-2{2} MERCHANDISE) and a "transient merchant," in possession of a license may be permitted to sell merchandise for one year from the date of commencement of such temporary commercial activity or establishment of a structure like a tent.

In Nassau County, regulations may require fishers to acquire a permit or license before conducting business. In fact, some even include seafood as an agricultural product but, the regulations are unclear regarding commercial activity. Hence, it may be beneficial to directly communicate with local enforcement agencies to understand the possibilities of direct seafood sales and aquaculture.