Reminders:

- This webinar is being recorded
- Slides and recordings of each presentation will be sent out a few days after the webinar
- Everyone is currently muted
- Time is reserved for questions between presentations
- If you have a question during a presentation, please use the chat window in the bottom right corner
1. **Intro to webinar series and Fish Forward initiative** – 3 minutes
   Fred Mattera, Commercial Fisheries Center of RI

2. **Context/setting the stage** – 3 minutes
   Bob Ballou, RI Dept. of Environmental Management

3. **2-3 QUESTIONS** – 5 minutes

4. **Direct sales opportunities in Rhode Island** – 5 minutes
   Bob Ballou, RI Dept. of Environmental Management

5. **Food protection programs governing seafood sales** – 10 minutes
   Cathy White, RI Dept. of Health

6. **QUESTIONS** – 15 minutes

7. **Brief overview of direct sales programs in nearby states** – 5 minutes
   Bob Ballou, RI Dept. of Environmental Management

8. **Additional direct sales opportunities in RI** – 10 minutes
   Cathy White, RI Dept. of Health || Dawn McAlister, Fish Forward consultant

9. **More about Fish Forward** – 7 minutes

10. **QUESTIONS** – 25 minutes

**Agenda**
❖ **Overarching Principle:**

➢ Seafood sales involve the intersection of two regulatory programs:
  o Resource management and protection
  o Food safety

❖ **Overarching Goal:**

➢ Promote and support RI seafood, by:

➢ Supporting the interests of the *RI seafood industry*
  o Enhancing accessibility and value of RI seafood

➢ Supporting the interests of *RI seafood consumers*
  o Enhancing accessibility and value of RI seafood

➢ Supporting *all involved*
  o Protecting safety of RI seafood

❖ **Overarching Objective:**

➢ Identify pathways for selling RI seafood to RI seafood consumers
Pathways for selling RI seafood to RI seafood consumers

1. Harvesters sell directly to consumers and retailers from the boat

2. Harvesters sell to licensed peddlers →
   → Sell directly to consumers at farmer’s markets

3. Harvesters sell to licensed processors/dealers* →
   → Sell directly to consumers, and/or
   → Sell to licensed retailers → Sell directly to consumers

4. Harvesters become licensed processors/dealers and sell to themselves* →
   → Sell directly to consumers, and/or
   → Sell to licensed retailers → Sell directly to consumers

5. Harvesters form licensed co-ops* →
   → Sell directly to consumers, and/or
   → Sell to licensed retailers → Sell directly to consumers

* Licensed processors/dealers can also sell to other licensed processors/dealers
Direct Sale Dealer License (Pathway #1)

Enables harvesters to sell directly to consumers and retailers from the boat

Status of DSD License Program
- Enacted via emergency regulation in April 2020
- Authorization extended through December 31, 2020
- Currently being considered for full adoption
  - Hearing held on 10/6/2020
  - Public comment period ends 10/26/2020
  - RIMFC will consider on 11/2/2020

Allowances
- Allows certain species of finfish and live lobsters and crabs to be sold directly to consumers and licensed retailers from the boat
  - Finfish must be sold whole or headed/gutted
  - Prohibited species: all histamine producers; and striped bass
- Allows live lobsters and crabs to be transported and sold directly to consumers and licensed retailers
Activity to Date

➢ 77 licenses issued, 21 active
➢ Approx. 42,000 pounds landed, valued at approx. $143K
➢ Major species: lobsters, crabs, scup, black sea bass, fluke, tautog

Key Issues

➢ Existing & Proposed: Products sold directly must have been harvested on same day as sale
➢ Existing and Proposed: Sales of shellfish, including shucked scallops, are prohibited
➢ Proposed: $200 annual license fee
➢ Proposed: Allowance for live whelk to be sold directly
➢ Proposed: Applicants must secure permission from both the property owner and municipality at the location(s) where direct sales will be conducted. Any change in location requires a new application and applicants are subject to a re-print fee of ten dollars ($10).
Food protection

➢ RIDOH/CFP Mission: To protect and promote public health and prevent disease by assuring the safety and quality of the food supply.

➢ RIDOH has authority by state statute:
  
  o 2019 Rhode Island General Laws, Title 21 - Food and Drugs Chapter 21-27 Sanitation in Food Establishments Section 21-27-2 Food businesses required to comply.
  
  o No person shall operate any food business within this state except in compliance with the provisions of this chapter and the regulations adopted in accordance with this chapter.
Regulation

RI Food Code 216-RICR-50-10-1

- RIDOH/Food Protections is responsible for regulation of all food businesses that sell to the end user.

216-RICR-50-10-4

- 21CFR123 (Seafood HACCP) - Adopted by Rhode Island
- RIDOH/Food Protections is responsible for regulation of all food businesses that sell to retailers.

21CFR 123.3(k)(1): Processing means, with respect to fish or fishery products: Handling, storing, preparing, heading, eviscerating, shucking, freezing, changing into different market forms, manufacturing, preserving, packing, labeling, dockside unloading, or holding.

21CFR123.3(k)(2)(i) & (ii):

The regulations in this part do not apply to: Harvesting or transporting fish or fishery products, without otherwise engaging in processing.
1. **Question:** Which activities of a harvest vessel are exempt from the regulation, under the definition of processing in 21 CFR 123.3(k), and which are not? 

**Answer:** Specific examples of activities of fishing vessels that are exempt are: 

A fishing vessel that simply catches the fish or that catches, heads, eviscerates, or freezes the fish onboard the vessel, and then delivers the product to market, whether retail or wholesale, is exempt from the regulation.
Direct Sale Opportunities in Neighboring States

- Individual state programs are continuing to evolve

- Generally, neighboring states offer opportunities similar to those offered in RI, while nuanced to address individual state interests and laws

- Accurately characterizing other state programs is challenging

- Brief summary of direct sale opportunities in NY, CT, and NY
Additional Direct Sale Pathways in RI (Pathway #2)

Harvesters → Peddlers → Consumers

Others to be addressed at next webinar
FREE one-on-one support to help your business thrive

Rhode Island’s seafood sector has been hit hard by the COVID-19 pandemic. But this crisis has also opened new innovations and opportunities. Fish Forward is a new program established to provide free one-on-one business support to fishermen and seafood businesses to help the community recover and thrive in the long-term.

All services being offered are free and confidential and are informed by the needs of the sector. They include monthly webinars, a free legal clinic, a blog about the latest goings-on, and one-on-one counseling that can cover a range of needs. Take advantage of these free services until September 2021. Funding for these services is provided through the CARES Act and the U.S. Small Business Administration.

Request business support: www.cfcri.org/fish-forward or bit.ly/fishforward