

Testimony in Support of LD 144

An Act to Create a Limited Retail Seafood Harvester Certificate

Before the Joint Standing Committee on Marine Resources

February 6, 2025

Honorable Senator Tepler, Representative Hepler, and distinguished members of the Joint Standing Committee on Marine Resources:

Over one year ago, members of the Shellfish Advisory Council (ShAC) formed a *Retail Rules Committee* to streamline retail shellfish regulations. The goal of this Committee is to make direct-to-customer sales more accessible to harvesters of different incomes, while reducing time to market, adding safety checks absent from the current system, and providing new opportunities to expand the Maine shellfish industry.

Under current law, shellfish harvesters with retail licenses have two paths to sell their own product to retail customers:

The first requires harvesters to operate and maintain a shellfish dealer facility (at significant expense) –even if shellfish is never stored at this facility and is only re-tagged. This locks many small-scale harvesters out of retail sales, which is a problem poised to worsen in a tight real estate market.

The second path requires harvesters to sell their product to a dealer to then buy back (at a loss) before resale to retail customers. The inefficiency of this system leads to a longer, less safe chain-of-custody and unnecessary expense.

To address these barriers and inefficiencies, the Committee’s work focused on finding a safe way to eliminate the requirement that harvesters operate a brick-and-mortar dealer facility. The proposed rule changes would allow harvesters to sell their own product in-state from a vehicle within the strict time and temperature requirements laid out in the state’s vibrio control rules. These changes would allow wild harvesters and shellfish farmers of all scales to reach new markets and receive a fair price for their catch.

We discussed the DMR’s proposal to create a limited retail seafood harvester certificate at the September 19, 2024 ShAC meeting, where we voted (10-1-1: In favor, opposed, abstention) to express the ShAC's support for this bill to the Commissioner. This support has continued now with LD 144, with the exception of one member. Thank you for your time and consideration of this testimony.

On behalf of the Shellfish Advisory Council:

Jessica Gribbon Joyce (Chair), Lewis Pinkham (Vice Chair) & Jordan Kramer (Retail Rules Committee Chair)