

Buying and Selling Shellfish in Maryland – License and Certification Requirements for Harvesters and Dealers

Note – Requirements have changed as of July 1, 2013 – please read carefully

- In Maryland, a **licensed shellfish harvester** (Unlimited Tidal Fish, Oyster Harvester, Oyster Dredge Boat, or Clam Harvester) **selling oysters or clams for human consumption on the retail market or to private individuals** (i.e., to anyone who does not have a Department of Natural Resources Tidal Fish Dealer License and a Department of Health Shellfish Certification), **must have a Maryland Department of Natural Resources Tidal Fish Dealer License and a Department of Health Shellfish Certification from the Department of Health**. To apply for a Department of Health Shellfish Certification or to get more information, please contact Kim Coulbourne at: 443-690-3106 or kim.coulbourne@maryland.gov

Licensed shellfish **harvesters without a Shellfish Certification** from the Department of Health, **must sell oysters or clams for human consumption on the retail market or to private individuals** only if they have a **Department of Natural Resources Tidal Fish Dealer License and a Department of Health Shellfish Certification**.

- If you have a Department of Natural Resources Tidal Fish Dealer License AND a Shellfish Certification from the Department of Health and are selling your own catch or buying from other harvesters, you are responsible for filling out **shellfish buy tickets** and **tax reports** (available at Department of Natural Resources regional service centers or by calling 410-260-8302), submitting them according to the schedule in the buy ticket book, and paying the **applicable taxes**. These requirements are in addition to your monthly harvest report.

If you are selling **clams for bait**, you must sell to someone who has a Department of Natural Resources Tidal Fish Dealer License if you do not have one yourself. If you have a Tidal Fish License, you can sell bait clams to whomever you choose.

- What changed? As of July 1, 2013, if you are not selling to a Department of Natural Resources Tidal Fish Licensed Dealer, you need to be a Department of Natural Resources Tidal Fish Licensed Dealer.

Why two licenses?

There are rules from the Food and Drug Administration called the National Shellfish Sanitation Program Model Ordinance that are required for every State that sells shellfish as a food product. This includes the rule that oysters and clams for human consumption may only be sold to dealers that are certified by the Department of Health. This rule is in the Department of Natural Resources and Department of Health regulation and will be enforced by Natural Resources Police for the safety of both the public and the industry. It is in the best interest of the industry to follow these rules and for Maryland to be known as a source of safe, healthy shellfish.

If you still have questions about buying or selling oysters or other shellfish, please call Frank Marengi at the Maryland Department of Natural Resources Shellfish Program at 410-260-8302.