

Appendix I

CALIFORNIA STATE AND LOCAL REGULATIONS, PERMITS AND MORE FOR SEAFOOD ALTERNATIVE MARKETS

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Note: The following information is intended for educational purposes only and is subject to change. Seafood harvesters should contact the agencies directly to determine what is required for their particular situation

Seafood harvesters considering selling their catch or product directly from their boat, a roadside stand/market, or other alternative market will need to follow regulations and guidelines and obtain specific licenses, registrations, permits, and certificates from several state and local agencies *in addition* to the licenses and permits required to fish commercially. Here we provide selected general information, by agency, that highlights some of these requirements and associated fees (as of Dec 2023).

Seafood harvesters should contact the agencies below to determine current requirements and fees and to ensure they are in compliance. When doing so, seafood harvesters will need to be able to describe the seafood products they will be selling -- species, product form (e.g., whole, filet, smoked) -- and the type of alternative market(s) they will use.

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE	CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE	DEPARTMENTS OF PUBLIC HEALTH	LOCAL AUTHORITIES
Fisherman's Retail License	Weighing Scale Certification	Processed Food Registration	Each county has a local health department that sets requirements for selling to retail.
Fish Receiver's License		Temporary Event Permit/Temporary Food Facility Permit	
Fish Processor's License		Food Facility Permit	
Multifunction Fish Business License		Food Safety Certificate	
		Food Processing Permit	

Figure 1. Regulations, permits, and more for buying and selling fish and shellfish in California, by agency.

California Department of Fish and Wildlife (CDFW)

There are four types of CDFW commercial fish business licenses that may be appropriate for seafood harvesters selling their catch through seafood alternative markets. Harvesters should check the information sources above and contact CDFW directly for up-to-date information and to determine the requirements that apply to their specific situation.

If you have questions or for more information regarding these licenses, please call CDFW Commercial Licensing Customer Service at (916) 928-5822 or email LRBCOMM@wildlife.ca.gov.

CDFW LICENSE & REVENUE BRANCH

WEBSITE: <https://wildlife.ca.gov/Licensing>

CONTACT: Commercial Licensing Customer Service

PHONE: (916) 928-5822

EMAIL: LRBCOMM@wildlife.ca.gov

FISHERMAN'S RETAIL LICENSE

This Fisherman's Retail License is required for fishermen selling all or a portion of their catch to the ultimate consumer. It does not allow for wholesaling, processing, receiving or selling others' catch, or importing product.

This license is not required if you have a Fish Receiver's License (see next section), and cannot be used by others (e.g., spouse, business partner, employee) at any time, only by the licensed fisherman.

The annual fee for a Fisherman's Retail License is \$130.81 (2024, subject to change).

FISH RECEIVER'S LICENSE

This license is required for fishermen selling all or a portion of their catch to someone other than the ultimate consumer (e.g., restaurant, retail market), as well as for fishermen who purchase fish from another commercial fishermen who is not licensed as a fish receiver. It is also required if fishermen are processing the catch, along with a Fish Processor's License (see next section).

The Fish Receiver's License can be used in place of the Fisherman's Retail License, and is not required if you are selling to a person who has a Fish Receiver's License.

The annual fee is \$1,019.00 (2024, subject to change).

FISH PROCESSOR'S LICENSE

In addition to a Fish Receiver's License (see previous section), the Fish Processor's License is required for fishermen who process fish for sale or delivery to individuals other than the ultimate consumer (e.g., restaurant, retail market).

Processing includes cleaning, cutting, gutting, scaling, shucking, peeling, cooking, curing, salting, canning, breading, packaging or packing fish. This license is not required if cleaning, heading, gutting or chilling catch onboard solely to maintain fish quality.

The annual fee is \$1,019.00 (2024, subject to change).

MULTIFUNCTIONAL FISH BUSINESS LICENSE

The Multifunctional Fish Business License allows fishermen to conduct any combination of the activities of a fish receiver, fish processor, fish wholesaler, fish importer and fishermen retailer.

The annual fee for this license is \$2,535.50 (2024, subject to change).

California Department of Food & Agriculture (CDFA)

The following section provides selected information about CDFA Division of Measurement Standards requirements for fishermen selling their catch through seafood alternative markets. Fishermen should check the information sources above and contact CDFA directly for up to date information and to determine the requirements that apply to their specific situation.

CDFA DIVISION OF MEASUREMENT STANDARDS

DIVISION WEBSITE: <https://www.cdfa.ca.gov/dms/>

COUNTY CONTACT LIST: <https://www.cdfa.ca.gov/exec/county/documents/countycommissionersealercontactinfo.pdf>

CA'S SEALERS OF WEIGHTS & MEASURES: <https://www.cdfa.ca.gov/exec/county/Sealer.html>

CONTACT: WSDA Customer Service

PHONE: (916) 229-3000

EMAIL: dms@cdfa.ca.gov



WEIGHING SCALE CERTIFICATION

Scales used to sell seafood must be approved and registered. Seafood must be sold by weight, not piece.

Appropriate scales are available from scale dealers. Before purchasing and using a scale, obtain the type of approval and the associated type-approval number of the scale from the dealer or scale manufacturer.

Counties have different procedures for testing and registering scales. Whereas some require that the scale be brought into their office for testing, others will arrange for an inspector to come out and test the scale for a fee.

Scale registration and associated fees vary and are assessed by each county.

Seafood product that is weighed and packaged without the customer present must be labeled with the product name, net weight, price per unit and total price as specified in NIST Handbook 130, Uniform Packaging and Labeling Regulation. Additional information also may be needed on the label per the Fair Packaging and Labeling Act.

If you have questions or for more information regarding the Weighing Scale Certification information, please call the Division of Measurement Standards (DMS) at (916) 229-3000, or email dms@cdfa.ca.gov.

Departments of Health

Both state and local public health agencies regulate and assist with seafood safety, ensuring that seafood is handled and distributed in a safe and sanitary manner. Fishermen should check the information sources provided below and contact both the California Department of Public Health's Food and Drug Branch and the local (county and/or city) environmental health department directly for up-to-date information and to determine the requirements that apply to their specific situation.

CALIFORNIA DEPARTMENT OF PUBLIC HEATH (CDPH)

CDPH Food & Drug Branch

CDPH's Food and Drug Branch (FDB) registers, inspects, and oversees the processing, handling and distribution of food products, including seafood, within the State of California. The following provides selected information about FDB requirements that may apply to fishermen selling their catch through seafood alternative markets.



PROCESSED FOOD REGISTRATION

Registration is required prior to initiating processing*, unless product is processed and sold on-site at a retail food facility (e.g., restaurant, fish market).

Fishermen must evaluate whether a Hazard Analysis and Critical Control Point (HAACP) plan is required for your processing operation.

Processing in the City of Vernon and/or Los Angeles and in the counties of Orange and/or San Bernardino also requires a local Food Processing Permit (see next section).

The FDA defines **processing** as handling, storing, preparing, heading, eviscerating, shucking, freezing, changing into different market forms, manufacturing, preserving, packing, labeling, dockside unloading, or holding fish and fishery products. This excludes practices such as heading, eviscerating, or freezing solely to prepare a fish for holding on board a commercial fishing vessel.

If you have questions or for more information regarding registration, please call the CDPH Food & Drug Branch at (800) 495-3232.

CDPH FOOD & DRUG BRANCH

WEBSITE: <https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FoodandDrugBranch.aspx>

PROCESSED FOOD REGISTRATION: <https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/FoodSafetyProgram/ProcessedFoodRegistration.aspx>

CONTACT: Food & Drug Branch

PHONE: (800) 495-3232

COUNTY & CITY ENVIRONMENTAL HEALTH DEPARTMENTS

County and city environmental health departments oversee the sales of food products (processed and unprocessed) to the ultimate consumer through retail food facilities, including but not limited to restaurants, retail markets, and fishermen's/farmers' markets. Requirements and fees vary among both local environmental health departments and types of seafood alternative markets. The permits and certifications listed below, as well as others, may be required by a given environmental health department.

Fishermen should contact their local environmental health department directly for up-to-date information and to determine the requirements that apply to their specific situation. For more information, contact the Department of Health in the county in which you will be operating your business (see county contact list below).

COUNTY & CITY ENVIRONMENTAL HEALTH DEPARTMENTS

COUNTY CONTACT LIST: https://s3.amazonaws.com/ClubExpressClubFiles/909133/documents/2023-2024_CCDEH_Membership_3.22.2024_1790382009.pdf?AWSAccessKeyId=AKIA6MYUE6DNNCCDT4J&Expires=1714588781&response-content-disposition=inline%3B%20filename%3D2023-2024_CCDEH_Membership_3.22.2024.pdf&Signature=emN83Cf7uBjyxVsiovXby9iE3KE%3D



TEMPORARY EVENT PERMIT (AKA TEMPORARY FOOD FACILITY PERMIT)

This permit may be required if you are selling seafood at an open-air fishermen's or farmers' market. Permits may be required for each vendor and/or the organizer.



FOOD FACILITY PERMIT

The Food Facility Permit may be needed if the catch is sold from a mobile unit (e.g., food truck) or fixed (permanent) facility (e.g., retail market). It may also be required when storing seafood before it is distributed (e.g., CSFs, seafood buying clubs).



FOOD SAFETY CERTIFICATE

This certificate is required for retail food facilities that prepare, handle or serve unpackaged foods.

For temporary food facilities, an owner or person in charge must be able to demonstrate adequate knowledge of food safety principles as they relate to the operation. In this case, a Food Safety Certificate is highly recommended but is not required.

FOOD PROCESSING PERMIT

The Food Processing Permit is required when selling processed food products to the ultimate consumer in the City of Vernon and/or Los Angeles and the counties of Orange and/or San Bernardino, in addition to the Processed Food Registration issued by CDPH FDB.

Local Authorities

Depending on the type of market and where it is located, additional permits and fees may be required by local authorities. Below are a few examples of such local requirements.

Fishermen should contact local authorities directly for up-to-date information and to determine the requirements that apply to their specific situation.

COUNTY

County government (planning departments) may require meeting zoning regulations and providing proof of permission from appropriate agencies (e.g., state highway division, county road office) when selling from a vehicle or stand on a public right-of-way or from property owners if selling from private property.

CITY

City government may require a business license, vendor's license, or both if selling from a vehicle or stand within city limits. Selling from private property requires proof of permission from the property owner, having an appropriate business license, and meeting local zoning requirements.

HARBOR/MARINA

Local harbors/marinas may have their own requirements for selling one's catch off the boat or at a dockside (or fishermen's) market. In some cases, only certain products or types of markets are allowed, or there may be time and seasonal restrictions on direct selling.