



The Commonwealth of Massachusetts

Division of Marine Fisheries

(617) 626-1520 | www.mass.gov/marinefisheries



MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lt. Governor

REBECCA L. TEPPER
Secretary

THOMAS K. O'SHEA
Commissioner

DANIEL J. MCKIERNAN
Director

April 24, 2024

Marine Fisheries Advisory

UPDATES TO COMMERCIAL SHELLFISH HARVEST AND HANDLING REGULATIONS FOR 2024

DMF has made several amendments to the state's commercial shellfish fishing regulations for 2024. These regulations are effective May 1, 2024 and include:

- General Icing of All Shellfish. DMF is further clarifying that only ice made from an approved source may be applied to shellfish for any purposes. This applies not only to ice applied to market bound shellfish but also the ice applied during culture activities (e.g., overwintering). Approved ice sources include ice made from fresh potable water and ice made from seawater taken from a shellfish growing area classified as Approved or Conditionally Approved and in the Open status.
- Icing of Shellfish During the *Vp* Control Season. During the *Vp* Control Season all commercially harvested market bound oysters must be adequately iced within a prescribed time-to-icing window. Generally, the time-to-icing window is two hours from time of harvest or time of first exposure for intertidal areas. However, this window is one hour from time of harvest or time of first exposure for intertidal areas from July 1 – September 15 for the Three Bays and Katama Bay. To meet this requirement commercial fishers and aquaculturists were required to apply a specified amount of ice around oysters or bags thereof. For 2024, these standards are being relaxed. Now commercial fishers and aquaculturists are only required to apply ice in manner that completely and continuously covers loose oysters or bags thereof. Additionally, the primary buyer can take on the burden of icing at the landing site provided landing and primary purchase occurs within the applicable time-to-icing window. Stay tuned for a forthcoming announcement from DMF regarding public meetings on the 2024 *Vp* Control Plan.
- Shellfish Tagging. All commercial fishers and aquaculturists are required to apply shellfish harvester tags to market bound shellfish shellstock. For traceability purposes, these harvester tags are required to contain certain information regarding the harvest and the harvester. This includes, but is not limited to, the alpha-numeric sequence that identifies the growing area. DMF is further refining this regulation to clarify the harvester tag must include the most specific alpha-numeric sequence for the shellfish growing area, including any decimals that may apply. This is necessary because a single shellfish growing area may be parsed into numerous sub-areas with different water quality classifications and shellfish harvest closures that impact harvest activities. For instance, see this [example](#) shellfish harvester tag and shellfish growing area map.
- Night Closure. To protect public health, night fishing for shellfish has been prohibited through a myriad of state laws, state regulations, and local regulations and bylaws. Now, DMF has adopted a uniform night closure for all commercial shellfish fishing activities in Massachusetts. This night closure applies from ½-hour after to sunset to ½-hour before sunrise except for that mobile gear fishers may continue to fish from 6AM to 6PM during the winter months (November 1 – end of February).

- Primary Sale at Landing Site. To accommodate congestion at landing sites, particularly during peak summer months, DMF may allow the primary sale of shellfish to also occur at an approved municipally managed lot. To accommodate this activity, the municipality must make this request to DMF and DMF must approve the request in writing.

For more information, please visit our website: www.mass.gov/marinefisheries.