



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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### MEMORANDUM

**TO:** Marine Fisheries Advisory Commission  
**FROM:** Daniel J. McKiernan, Director   
**DATE:** December 12, 2024  
**SUBJECT:** Future Public Hearing Item—Mandating Paperwork to Demonstrate the Lawful Possession of Dogfish Fins

#### Proposal

I am proposing to go out to public hearing this winter to require business selling spiny or smooth dogfish fins in the Commonwealth be able to produce paperwork (e.g., bill of lading) that documents the lawful origin of product.

#### Background and Rationale

In 2014, the Massachusetts Legislature approved the so-called “Shark Fin Bill” at [G.L. c. 130, §106](#). This bill prohibited the removal of shark fins except during the ordinary course of processing a lawfully retained shark whereby any fin separated from the carcass must be destroyed or used for purposes of taxidermy. The bill also amended [G.L. c. 130, §1](#) to define sharks as to not be inclusive of smooth or spiny dogfish (inclusively “dogfish”). This therefore allows the terrestrial processing of dogfish by seafood dealers for fins; the at-sea processing of dogfish fins is prohibited under DMF regulations at 322 CMR 6.35 and 6.37. The purpose of this exemption was to allow the state’s seafood processing sector to separate fins from lawfully caught dogfish should there be a market for such product.

This exemption for dogfish fins introduced a potential loophole whereby illegal shark fins could be marketed as (legal) dogfish fins. There are some percolating concerns that purveyors of illegal shark fins may attempt to disguise their contraband as dogfish fins, particularly if genetic testing of the product is inconclusive<sup>1</sup>. To address this, DMF is proposing that should any business in the Commonwealth offer dogfish fins for sale then they must possess paperwork that documents the lawful origin of this product. This is similar to existing rules affecting the in-state sale of shell-on lobster parts. DMF discussed this proposal with the MFAC’s Law Enforcement Focus Group at their November 2024 meeting, and it was broadly supported.

<sup>1</sup> The Massachusetts Environmental Police seized shark fins being sold in a Boston market. The product was sent off for genetic testing, which came back inconclusive, likely due to treatment with formaldehyde during processing for consumption.