SHELLFISH HARVESTING, HANDLING, AND TRANSPORT AFFIDAVIT

** THIS AFFIDAVIT MUST BE READ, SIGNED, AND RETURNED WITH THE PERMIT APPLICATION IN ORDER TO OBTAIN A COMMERCIAL SHELLFISH PERMIT (Affidavit Revised – December 2021)

SHELLFISH HARVESTING, HANDLING and TRANSPORT: Massachusetts shellfish are renowned for their high quality. Commercial harvesters, including shellfish growers, are required by the National Shellfish Sanitation Program (NSSP), as well as by Massachusetts Division of Marine Fisheries (DMF) and Department of Public Health (DPH) regulations, to harvest shellfish only from open non-polluted areas. These harvesters are required to take steps protecting shellfish from temperature abuse, and preventing exposure to contamination during handling and transport to wholesale dealers for sale.

Bivalve molluscan shellfish become contaminated by filtering water through their gills in the process of feeding and respiration. Contaminated shellfish can transmit pathogenic organisms (bacteria, viruses, and protozoa) to people if eaten raw or under cooked. Contamination may occur at any point in the food distribution system including the point of harvest. Shellfish from waters contaminated with sewage accumulate higher levels of disease-causing pathogens which can cause Norovirus, hepatitis, cholera, as well as other forms of viral and bacterial gastroenteritis. Exposure to contaminants during transport and lack of temperature control can further degrade shellfish allowing the growth of naturally occurring pathogens which can cause illness from Vibrio bacteria. Remember, shellfish are considered ready-to-eat; consumers may not cook it which is a critical step that generally kills pathogens.

HARVEST: Individuals commercially harvesting shellfish must have a state commercial fishing permit, or other DMF permit endorsed for commercial shellfish harvesting and the companion Shellfish Transaction Card [322 CMR 7.01(2)].

Shellfish for direct marketing may only be harvested from waters classified as Approved or Conditionally Approved and in the “open status”. Shellfish growing areas may be closed at any time for public health protection due to sanitary conditions, marine biotoxins (Red Tide), oil spills or chemical contaminants [322 CMR 16.03]. Information on shellfish area classifications can be found by searching “growing areas” on the DMF website: www.mass.gov/marinefisheries. Harvesters should always consult with their local shellfish department first, then DMF for the current area status prior to harvest. Municipalities may close shellfish growing areas for management purposes.

HANDLING: Harvesters shall ensure shellfish are harvested, handled, and transported in a manner to prevent contamination and deterioration. All containers used to hold shellfish shall be clean, free of debris, and fabricated using safe, easily cleanable materials (smooth surface). Shellfish shall be covered or in a closed vehicle during transport to prevent exposure to direct sun light and contaminants [322 CMR 16.04].

Boats used in harvesting are to be kept clean and free of debris during the harvest and transport of shellstock. Dogs, cats, and other animals are not allowed on harvest vessels during the harvest, handling, and transport of shellstock. Shellfish shall be stored on raised areas to prevent contact with bilge water and away from fuel, oil, and other chemicals. Shellfish shall be covered to prevent exposure to hot sun and bird droppings.

Each harvest boat must have a marine sanitation device (MSD) or container with a tight-fitting cover, be secured, and placed to prevent contamination of shellstock by spillage or leakage. Each container must be indelibly labeled "Human Waste" in contrasting (over)
letters at least three (3) inches in height [322 CMR 16.04]. Containers should be emptied only into a sewage disposal system, then cleaned and sanitized. The overboard discharge of human waste is prohibited in Massachusetts [MGL c. 90B section 5C].

All harvesters shall be familiar with DMF’s Shellfish Harvest and Handling Regulations at 322 CMR 16.00.

Harvesters who do not submit federal vessel trip reports must report shellfish landings to DMF on a trip-level basis. To obtain additional information referenced in this document visit the DMF website: www.mass.gov/marinefisheries.

You may also contact: Division of Marine Fisheries, 706 South Rodney French Boulevard, New Bedford, MA 02744 Tel. (508) 990-2860 or email us at marine.fish@mass.gov.

**SIGNATURE REQUIRED FOR PERMIT RENEWAL OR INITIAL ISSUANCE**

To obtain a permit or renew a permit, it is an NSSP requirement that each harvester acknowledge that they have read and understand the information provided in this document. After reading, please sign below and return the entire document with your permit application. It is advised that you retain a copy of this document for your files. The contents of this affidavit are codified by regulation at 322 CMR 7.00 and 16.00 and are enforceable by law.

Full Name: 

Address: 

Signature: 

Date: