



## Shellfish Advisory Panel Meeting Summary

May 6, 2019

Hanover Public Library ~ Hanover, MA

### Attendance

*Panel Members:* Bill Doyle, Chris Sherman, Alex Hay, Rob Doane, Steve Kirk, Devon Harrington (proxy for Amy Croteau), Anthony Murawski, Mike Trupiano, Bob Wallace, Allen Rencurrel, and Paul Bagnall,

*DMF:* Dan McKiernan, Tom Shields, Jeff Kennedy, Chris Schillachi, Greg Sawyer, Story Reed, Jared Silva, Gabe Lundgren, Kevin McGowan, Simone Wright, and Jen Pieatowski.

*Other:* John Tedeschi, Josh Reistma, Peter Prime, Jamie Dowd, David Kelley and Scott Soares

### Call to Order

Deputy Director and Panel Chair Dan McKiernan called the May 6, 2019 meeting to order. This was the first Shellfish Advisory Panel (Panel) since November 2017. Panel meetings were not held in 2018 because the prevailing expectation was that the newly formed Massachusetts Shellfish Initiative (MSI) would assume the responsibilities the Panel had assumed on an ad hoc basis. This included identifying problems and solutions in the management of shellfish resources for the betterment of the shellfish fishing community in Massachusetts. However, the implementation of the MSI was slow going and the lack of transparent progress had generated some distrust among stakeholders, particularly unaffiliated wild harvesters. Accordingly, DMF determined it was appropriate to convene the Panel again to discuss relevant shellfish issues, particularly DMF's Shellfish Strategic Plan and the upcoming Interstate Shellfish Shippers Conference (ISSC) meeting.

### Update on Massachusetts Shellfish Initiative

#### Overview

Chris Schillaci began the presentation with a brief overview of the history of the MSI and the evolution of the MSI Task Force and Steering Committee. He noted that what had been occurring at the MSI was an iterative process designed to eventually highlight certain generally agreed upon key concerns and develop strategic goals to address them. The MSI was very much still in its early stages of development with a focus on fact finding.

By way of background, the MSI began as an idea of the Massachusetts Aquaculture Association, The Nature Conservancy and the Cape Cod Fisherman's Alliance in late-2016. The groups partnered with

students from UMass Boston to develop a preliminary survey to identify stakeholder opinions on the core issues effecting MA shellfish and the idea of a shellfish initiative in MA. Other states have conducted similar shellfish initiatives, including with federal support.

This was followed by the submission of a grant proposal to the National Fish and Wild Life Foundation, with the purpose to develop a grassroots, stakeholder driven effort that would work through the state government to identify potential funding opportunities and review policy initiatives. This is similar to what has occurred in other states (e.g., Washington, Rhode Island), but with a bottom-up rather than a top-down approach. The groups were awarded funding and approached then Secretary of the Massachusetts' Executive Office of Energy and Environmental Affairs (EEA), Matt Beaton to gather EEA support for the formation of a task force that could help to develop a strategic plan to meet the grants stated goals. Secretary Beaton formally established the MSI task force in 2018. Secretary Beaton and Matt Charette, Director of Woods Hole's Sea Grant, were to serve as co-chairs. Additionally, some of the grant funding was made available to hire support staff, including Scott Soares who would serve as a coordinating consultant.

Dan McKiernan interjected to note that progress at the Task Force level was delayed throughout 2018 to address scheduling complications. Moreover, the natural gas explosions in the Merrimack Valley preoccupied the Secretary and his staff during the fall of 2018. This lack of progress was misconstrued by some as a lack of transparency, and this fomented distrust regarding the MSI, particularly among unaffiliated fishermen.

Chris continued to discuss Task Force membership, stating that the focus was to integrate a variety of geographic interests and stakeholders, similar to this Shellfish Advisory Panel, and membership had increased overtime to in response to stakeholder feedback. The Task Force first met in January 2019 and formed a Steering Committee and an Assessment Committee and began to establish objectives and goals for the MSI.

Following this initial Task Force meeting it was also determined that the Task Force needed a Chair that was in closer proximity to the stakeholders to better address the various issues on a day-to-day basis. Accordingly, Deputy Director Dan McKiernan was appointed to serve as Secretary Beaton's designee. This provided the Task Force with some structure and the day-to-day management and oversight necessary to make progress on issues.

The Task Force met again in April 2019 with Dan McKiernan as Chair. They received a progress report from the Steering Committee and the Assessment Committee, reviewed the initial MSI's objectives and goals, and approved the formation of a Scoping Committee. The Scoping Committee would hold public meetings, seek public input and develop objectives and priorities for the Task Force to review based on this input. Former State Senator Rob O'Leary was hired with grant funding to serve as its chair.

#### Steering Committee Update

The Steering Committee met several times and held several conference calls since its formation in January 2019. It is tasked to take direction from the Task Force to move deliverables forward. To date, its focus has been on public information dissemination and listening to public testimony. Public testimony has largely focused on a number of issues, but general themes include increasing marketing opportunities, maintaining home rule, and balancing potentially competing stakeholder interests. The Steering Committee has also advised the Task Force on the need for transparency, and consequently recommended the Task Force conform to the state's Open Meeting Laws.

### Assessment Committee Update

Jeff Kennedy of DMF chairs the Assessment Committee and he reviewed its purpose and goals. The Assessment Committee has been tasked with fact-finding and data gathering regarding resources available to support shellfish management in Massachusetts. This is to be accomplished in two ways. The two primary goals of the Assessment Committee to date is: (1) to assess the capacity of local and state governments, as well as NGOs, for shellfish research and management; and (2) to assess existing strategic goals and strategic plans for shellfish management and research in Massachusetts.

The Assessment Committee met in February 2019 and subsequently developed an detailed online survey for local municipal shellfish officers to complete. This would help in the assessment of municipal capacity and resources to better understand recreational harvest, commercial harvest, aquaculture, and municipal propagation on a municipality-to-municipality basis. So far, 42 of 57 municipalities have responded. Next, the Assessment Committee would begin to focus on State and NGO resources and strategic goals and review where strategic planning already exists and where it does not. DMF anticipated the Assessment Committee would complete its analysis and provide it to the Task Force by the summer of 2019.

Dan McKiernan and Chris Schillaci discussed the role of NGO groups and their involvement in technical assistance (e.g., disease testing). Chris stated the Assessment Committee's work would identify and catalog these resources as being available or utilized by municipalities for certain activities (e.g., disease testing, research). Chris noted that there are currently numerous active groups in Massachusetts offering technical assistance, including the Southeast Massachusetts Aquaculture Center (SEMAC) Northeast Massachusetts Aquaculture Center (NEMAC), Woods Hole Sea Grant, and MIT Sea Grant.

To this point, Chris Sherman expressed his support for the Assessment Committee. He stated that the analysis being conducted was critical to developing a baseline for what is occurring in each municipality, what resources are being utilized and what other resources are available. He expected this would ultimately enhance efficiency as it would create cross-industry connections and prevent the MSI (or other groups) from reinventing the wheel.

Tom Shields asked Paul Bagnall about the response from the Massachusetts Shellfish Officers Association (MSOA) regarding the survey. Paul stated that DMF's presentation on the MSI at this spring's annual MSOA meeting allayed a lot of fears regarding the MSI's process and goals. Consequently, this likely enhanced local participation in the survey and he has received good feedback from MSOA members on it. Paul felt that the survey would help municipalities better identify their own programmatic deficiencies and strengths and learn from what others are doing. Jeff noted that the survey remains open to the municipalities.

Bob Wallace noted that DMF should have commercial and aquaculture landings in SAFIS and was curious regarding what information DMF was acquiring from municipalities regarding these activities. Chris stated the focus was on areas such as permitting, which may help better explain trends in landings.

### Scoping Committee Formation and Update

Chris Schillaci then focused on the formation of the MSI's Scoping Committee. At the April 2019 Task Force meeting, a number of common themes were identified for further scoping. This included: (1) building public-stakeholder-government capacity on issues regarding rule making and funding; (2) identifying management, research, industry and resource needs to address things like grant and

research opportunities and industry training; (3) developing sustainable and balanced opportunities for growth that balance municipal, wild harvest and aquaculture interests; (4) fostering increased communication between local, state and federal entities and stakeholders to provide clear and consistent guidance; and (5) ensuring the ecologically sound management of shellfish resources and coastal ecosystems.

To begin to work towards these goals, the MSI established the Scoping Committee. The Scoping Committee would include a diverse group of stakeholders identified by task force members, similar to the Steering Committee and the Assessment Committee. Once formed they would take the Assessment Committee's report and share it with the public. Additionally, they would gather public feedback on items of interest (including the Assessment Committee Report) through outreach sessions and written public comment. This was expected to occur during the late summer of 2019. The feedback, along with the information gathered by the Assessment Committee, would be provided in a report back to the Task Force.

#### Next Steps

Following the anticipated completion of the Assessment Committee's analysis this summer, the Scoping Committee will hold a series of public meetings to take comment on emerging themes identified by the Task Force. The Task Force will then meet during the fall of 2019 to review progress and task committees to further address specific issues with the goal of completing a Strategic Plan by late 2020.

### **Aquaculture Update**

#### Shellfish Aquaculture Update

Chris Schillachi provided the Panel with an update on the state's shellfish aquaculture landings. The industry had seen a five-fold increase in production since 2007. While the industry was still experiencing growth, it was occurring at a slower pace. For instance, in 2018, aquaculturists sold 48 million pieces of oysters, up from 47.8 million pieces in 2017. The associated ex-vessel value for 2018 was \$27.6 million, making oysters the third most valuable fishery resource to the Commonwealth, behind sea scallops and lobster.

Chris did not have the 2018 data for aquaculture reared quahogs yet. He noted that many of the individuals who are growing clams also participate in the wild harvest fishery. Accordingly, it is time-consuming to audit this data and parse what sales are from aquaculture

Total acreage dedicated to shellfish aquaculture decreased in 2018. However, this was due to the revocation of a 115 acre shellfish aquaculture grant in Mattapoisett.

DMF was also working with UMASS Boston to develop a new, aquaculture GIS layer. The layer would allow the user to view what grants exist, what grants have been permitted by DMF, if the grant site is active or inactive, and what species and gears are being used.

Looking forward, Chris noted demand and competition for seed, particularly oysters, is becoming an area of concern. This is being driven by several factors. First, more farms are coming online and existing farms are becoming more efficient, resulting in more oysters being plated. Second, municipal propagation is increasing, particularly to address water quality issues.

#### Issues Raised by the US Food and Drug Administration

Chris Schillaci reviewed several issues being raised by the US Food and Drug Administration (FDA) that may impact shellfish aquaculture in Massachusetts.

The first issue addressed nursery grow out in contaminated waters. DMF has allowed this to occur in certain instances consistent with the National Shellfish Sanitation Program's (NSSP) Model Ordinance. Once grow out is complete, aquaculturists are required to hold their shellfish in approved waters for 6 months prior to harvest. Recent scientific literature demonstrates that shellfish can purge the contaminants within one to two months and the current six-month standard is unnecessarily restrictive. DMF was able to get FDA to agree to a four-month submergence standard, which is enforced through maximum seed sizes (i.e., the difference between the maximum seed size and the minimum market size approximates four months growth).

Next, FDA was moving to require the aquaculture industry adopt operational plans to comply with shellfish sanitation standards. This would be similar to the HACCP model used with seafood dealers for food safety. While this may be appropriate for some of the larger operations in MA, it creates a substantial burden for the state's smaller shellfish farms. Accordingly, DMF has resisted FDA on this. Instead, DMF continues to issue permit conditions that allow certain activities to occur under certain prescribed conditions.

Another hot topic is the impact bird droppings may be having on water quality and public health. Currently, DMF is collecting information regarding those aquaculturists using floating gear, which is susceptible to bird roosting and what if any devices were deployed for bird deterrence. If bird waste is impacting water quality at these sites, these aquaculturists may be required to develop operational plans to address it.

Chris also raised three additional concerns related to bird waste. First, certain countries (e.g., Canada) has limits on fecal coliform and exposure to bird waste may limit the ability for US growers to access these markets. Second, if large amounts of birds begin to roost on gear, then it may produce changes in water quality and growing area classifications, locally impacting where shellfish may be harvested. Finally, adding bird deterrents to floating gear may worsen local political concerns regarding the permitting of these grant sites.

Lastly, this past winter, DMF updated its shellfish regulations. This included new regulations that govern ice used in the shellstock cooling. These regulations ensure that potable water is used and that ice machines are properly configured and maintained, and are enforced through record keeping. This allows aquaculturists to continue to use ice machines on private residences while ensuring that the ice is sanitary and preventing issues pertaining to unlawful search and inspection. DMF was currently identifying those aquaculturists who use private and public waters sources.

#### Emerging Veterinary Disease Issues

Chris Schillaci discussed veterinary disease issues. He stated that DMF's Shellfish Program was ill prepared to address a potential disease outbreak. Chris was particularly concerned about the neoplasia that has been documented in cultured quahogs on Cape Cod and soft shell clams on the North Shore. While DMF was working with Roger Williams University, SEMAC and USDA to address this, this issue needs to be prioritized and better funded moving forward.

#### Special Review Procedure for Marine Aquaculture

The Massachusetts Environmental Protection Act (MEPA) and its implementing regulations establish review thresholds for projects that may either directly or indirectly cause damage to the environment, and are permitted by the state. Accordingly, MA's MEPA office recently made the informal determination that shellfish aquaculture projects should likely be subject to MEPA review. This could result in substantial new consulting costs for grant operations, which may limit further growth.

This prompted DMF to initiate the development of a Special Review Procedure (SRP). In coordination with other agencies (e.g., MEPA, CZM, DEP), DMF began to review aquaculture permitting and developing a document that describes the current permitting requirements and potential permitting thresholds. Siting and performance criteria could then be developed for projects of a certain size using certain gear. This would then meet all Environmental Notification Form and Environmental Impact Report requirements under MEPA and those conforming aquaculture applications would be able to avoid individual MEPA review. Chris was also hopeful that the development of this document would provide more clear guidelines to stakeholders regarding aquaculture permitting and what state agencies need to be consulted.

Chris and Alex Hay discussed the Massachusetts Aquaculture Permit Planning (MAPP) and how it relates to the SRP. Chris noted that the SRP would be used to review the MAPP.

Steve Kirk asked if the SRP applied to both municipal and private shellfish propagation. Chris stated it would apply to both. The action of shellfish planting triggers the review process, not the end purpose of the shellfish planted.

Scott Soares noted that DMF reserved a regulatory section for aquaculture in its new shellfish regulations. He questioned if DMF was waiting for the SRP to be implemented and approved before adopting new shellfish aquaculture regulations. Chris stated that considering a number of factors (e.g., MSI, the SRP, MAPP), DMF felt it was premature to promulgate aquaculture regulations. He expected DMF would go back to the drawing board in a couple years and those regulations would likely address operation standards and not project siting. Scott then asked if ACOE was involved in the ongoing state efforts to address state aquaculture permitting. Chris stated that they were not. However, if standards were developed through MAPP, then the ACOE may choose to adopt what MA implements.

#### Kelp Aquaculture

Chris Schillaci discussed developments in kelp aquaculture. While DMF had permitted several operations, kelp remains a nascent industry. Growth will be spatially limited, because development north of Cape Cod is constrained by the use of complex vertical and horizontal lines and the potential risk posed to right whales.

Dan McKiernan asked if product was being harvested. Chris stated that harvest occurs during the spring before the product fouls. Chris opined that these operations likely had not begun to turn a profit.

#### Vibrio parahaemolyticus Management

Chris Schillaci then provided an update on *Vibrio parahaemolyticus* (*Vp*) management. Despite a continued growth in oyster production state-wide, there was a consistent decline in sole source *Vp* infections from MA harvested oysters from 2015 to 2018. In 2018, there were only 10 sole source cases. As diagnostic methods to determine when risk is high remains underdeveloped, the focus continues on controlling shellfish temperatures. DMF scheduled four industry meetings during mid-May to review the 2019 *Vp* Control Plan and best practices.

Alex Hay and Chris Schillaci discussed FDA's desire to change how *Vp* risk is managed, with a greater focus on product recall and fractional attribution in multi-source cases. Chris stated that DMF does not support these measures. Chris noted that a committee at the Interstate Shellfish Sanitation Conference (ISSC) is looking into how to better deal with multi-source cases. Chris opined that some of the potential resolutions could produce positive results for MA's industry, including reducing the burden associated with follow up investigations on multi-source cases.

Scott Soares asked about the prevalence of *Vp* illness from other oyster producing jurisdictions. Chris stated there were a number of cases from Washington State and British Columbia this past year. There were also some cases linked back to the Mid-Atlantic. Scott asked about cases from Long Island. Chris did not recall any cases from Long Island. He speculated that water temperature along Long Island in the summer may be so warm that the non-pathogenic strains of *Vibrio* actually out compete the pathogenic strains.

Dan McKiernan asked if the offshore aquaculture site off Edgartown (being used to store oysters during periods when *Vp* illness risk is high) was in part responsible for the decline in illnesses from the area. Chris opined that the reduction in attributable illnesses was likely due to changes in environmental conditions and improved industry practices. Chris also speculated that in prior years the product staying on island for retail may have not been handled as thoroughly and the island's health care system may been better at identifying *Vp* illness. Paul Bagnall stated that it is expensive to retool to move oysters to the offshore site, so interest has been limited. Those that have invested view it as security in case Katama Bay is closed to harvest on short notice.

Scott Soares, Chris Schillaci and Dan McKiernan discussed using DMF's Seafood Marketing Program to improve public education regarding *Vp* in order to enhance consumer confidence in MA shellfish.

#### Atlantic States Marine Fisheries Commission

Chris Schillaci and Dan McKiernan discussed DMF's interest in utilizing the Atlantic States Marine Fisheries Commission (ASMFC) to address concerns regarding the interstate shipment of shellfish seed and the spread of veterinary diseases. Of particular concern is a situation whereby an out-of-state hatchery ships seed to individuals who are not licensed aquaculturists, and this seed is planted without adequate testing.

#### **Bay Scallop Season Extension Protocol Explained**

Tom Shields, of DMF, reviewed a memorandum addressing this topic. Tom stated that state law prohibits the harvest of bay scallops between April 1 and September 30. However, DMF may extend the open season based on a petition from the municipality to DMF. The memo outlines that this petition should include a rationale for this extension. For instance, it is common for new bay scallop beds to be found in the late winter when eel grass shoots die back exposing new bottom.

In response to the petition, DMF sends a field biologist to conduct a survey to investigate. The biologist typically works alongside a commercial fisherman analyzing the ratio of seed-to-adult scallops and the condition of adult scallops. DMF typically requests two-week prior notification in order to send a biologist out to conduct the survey and complete lab analysis. However, the agency will work with towns to expedite this process.

#### **Regulations Update**

Jared Silva, of DMF, presented on DMF's recent recodification of the state's shellfish regulations. This action promulgated long standing policies, practices and permit conditions as regulation. This included rules governing shellfish growing area classification, the sanitary harvest of shellfish, grower-dealer shellfish tagging, and the contaminated shellfish relay program. This was done to explicitly comply with the NSSP Model Ordinance and to complement DMF's various commitments to shellfish management. The new regulations also adopted a new contaminated shellfish relay fee of \$1.00 per bushel to be paid by the municipality receiving relayed shellfish to the municipality in which they were harvested. This was a legislative requirement set forth in the Acts of 2017.

Following Jared's presentation, there was some discussion about continuing to require commercial shellfish harvesters to sign the Shellfish Harvest, Handling and Transport Affidavit. Chris Schillaci noted that this affidavit meets harvester education requirements set forth in the MO, so the agency will continue to use it as an education tool.

Dan McKiernan, Alex Hay and Bill Doyle discussed potentially educating fishermen regarding the handling of histamine producing finfish. Dan stated he would raise this with DPH.

#### **Interstate Shellfish Sanitation Conference Update**

Chris Schillaci and Jeff Kennedy provided an update on the ISSC. By way of background, the ISSC is a cooperative state-federal-industry partnership that sets the minimum standards for shellfish in interstate commerce through the NSSP's MO and conforming state rules. MA is voting member at the ISSC with DMF and DPH sharing one vote. The ISSC is scheduled to meet again in October 2019 in San Diego. Proposals are due in early June and will reviewed and released to the public by early July.

Jeff and Chris explained that in recent years FDA has started to more strictly interpret the MO, often in ways that differ from historic interpretations. This has created some contention and dissention at the ISSC between state governments and their federal counterparts. This is highlighted by recent conversations regarding treating water quality classifications in mooring areas similar to marinas. This issue was being addressed through an ISSC sub-committee, which DMF's Shellfish Program Chief, Mike Hickey, was serving on.

Another state-federal issue was funding for dye studies for water quality and shellfish growing area classifications. FDA does not have the funding to conduct these studies and wants to push this responsibility onto the states. The states are concerned about the burden this may place on their constrained budgets and staffs. Moreover, if these tests are not conducted, there is the threat that additional growing areas may be closed.

NMFS and FDA were working towards developing a protocol for bio-toxin monitoring in federal waters. This was being driven by the Catalina Sea Ranch in CA. To address this, the federal government wants to move towards mandatory dockside monitoring. This would have severe and negative impacts on our offshore wild shellfish fisheries (e.g., surf clam and ocean quahogs), as it would be cost prohibitive for this small boat fleet. FDA was also working on developing a bio-toxin management training video.

The Time-to-Temperature Committee was reviewing the applicability of the current time-to-temperature matrix for surf clams and ocean quahogs. At present, there is no demonstrated illness burden related to ocean quahogs and surf clams and time-to-temperature abuse. However, the matrix requires industry to get product into a refrigerated trunk within 18 hours of first harvest during the summer (unless the product is destined to be thermally processed). This limits the ability of the surf



clam and ocean quahog fishery to fish in productive areas, like Nantucket Shoals, and sell the product into certain markets (e.g., sushi).

The Training Committee is grappling with mandatory training of state personnel for growing area classification. There is a lack of clarity as to whether this is one time training or continuing education. If this is continuing education, there are concerns about how frequently the training will occur and how it will be paid for. There is some speculation that this will eventually be resolved through online training courses.

The Lab Committee was reviewing a number of new testing methodologies, including for bio-toxin monitoring. The committee needed funding for a statistician to analyze these methods. There were also two \$5,000 grants for lab and field equipment, and DMF applied to receive this funding.

The ISSC was looking to hire an Assistant Director. Its current Executive Director, Ken Moore, is expected to retire in the next two years, so this hire is part of their transition plan.

Alex Hay, Chris Sherman, Jeff Kennedy and Chris Schillaci discussed the current status of the equivalency agreement between the US and the European Union. Jeff informed the Panel that FDA finalized the terms of the agreement. Chris Sherman stated that he was informed that the agreement was tied up in the US Trade Office. If approved the deal would allow the US to sell product from approved growing areas into the EU. Chris Sherman and Alex Hay felt that this was an important market for the US oyster industry to have in order to move large volumes of product under certain conditions. Alex also stated that businesses already shipping seafood to Europe would be able to add oysters onto these orders.

Chris Sherman asked if the agreement would allow shellfish harvested from conditionally approved areas to be exported to the EU. Jeff said that it would not. Greg Sawyer estimated that approximately 60% of the open growing areas in the state were approved, and the remaining 40% were conditionally approved. Chris Schillaci raised concerns that if FDA is successful in implementing a more stringent definition for rainfall closures, then more areas would be classified as conditionally approved.

### **DMF Shellfish Strategic Plan**

Dan McKiernan reviewed DMF's Shellfish Strategic Plan. He noted that he convened DMF's shellfish program in March 2019 to develop this document to address emerging issues and develop strategies to respond to them. He noted that this dovetailed nicely with the MSI Assessment Committee's review of existing strategic documents. Noting that the Panel only recently received this document, he asked Panel members to contact DMF directly if they had any comments regarding the document once they had the opportunity to digest it.

Steve Kirk stated that he would like to better understand the agency's shellfish budget information. This would help him better understand what resources exist and what resources were needed. He also stated that he would be interested to know what DMF's view of a fully staffed shellfish program looked like. Dan McKiernan appreciated Steve's feedback. He stated that the shellfish program historically conducted stock assessments, worked closely with the surf clam and ocean quahog fishery and provided the shellfish fishery with technical assistance. Then in the 1980s, DMF took over shellfish growing area classifications from the Department of Environmental Quality Engineering. Since this time, classification has become the primary focus of the agency, as it is necessary to keep areas open to harvest. At this time, DMF has sufficient staff to maintain water quality monitoring, but cannot expand the program to reclassify marginal areas.

Chris Sherman stated that he would like to see more of a focus on building a framework to interface with stakeholders and to improve the efficiency and efficacy of this dialogue. Of particular interest was growing the Panel's role in reviewing and making motions to support shellfish regulatory proposal.

#### **Other Business**

Chris Sherman stated that the Massachusetts Aquaculture Association remained interested in expanding bulk tagging allowances for harvesters and dealers. He noted that this was raised on numerous occasions. However, expanding allowances beyond grower-dealers never gained traction.

Chris Schillaci stated that this came up at a recent intra-agency meeting between DMF, DPH and MEP. Chris was tasked with preparing a memorandum describing a pilot program that would allow harvesters to bulk tag. However, without a complementary DPH pilot program for dealers, either harvesters would have to individually tag lots once they get to the dealer, or this responsibility would fall to the dealer. DPH has been reticent to adopt such a pilot program because of the impacts it may have on lot integrity and the ability to recall shellfish.

Bill Doyle stated that as a dealer he would not be interested in taking on any additional responsibility that may come with harvester bulk tagging. Chris Schillaci stated that DPH and DMF had heard similar refrains from other dealers. Chris Sherman stated that whether to accept the product or not was an individual business decisions and opportunities to allow the activity to occur should not be limited by other businesses disinterest.

Alex Hay also alleged the MEP were enforcing shellfish tagging rules differently. In the past, dealers would receive product with harvester tags on each lot. Then as the dealers processed the lots, they would retag the shellfish with dealer tags. However, MEP were now requiring that the product be immediately retagged upon receipt. This was not a mandate dealers could comply with and he was hopeful DMF could speak to MEP on this subject.

Bill Doyle, Chris Sherman, Dan McKiernan and Chris Schillaci discussed DPH and MEP attending future SAP meetings. Bill Doyle and Chris Sherman strongly supported having DPH more involved at the Panel, particularly with Eric Hickey taking on a more influential role at the ISSC. Dan McKiernan responded that DPH and MEP should be part of the Panel meetings and he would work to ensure they attend meetings in the future. Additionally, DMF will schedule a conference call in September with interested Panel members to discuss the October ISSC meeting agenda and he would invite MEP and DPH to joint.