

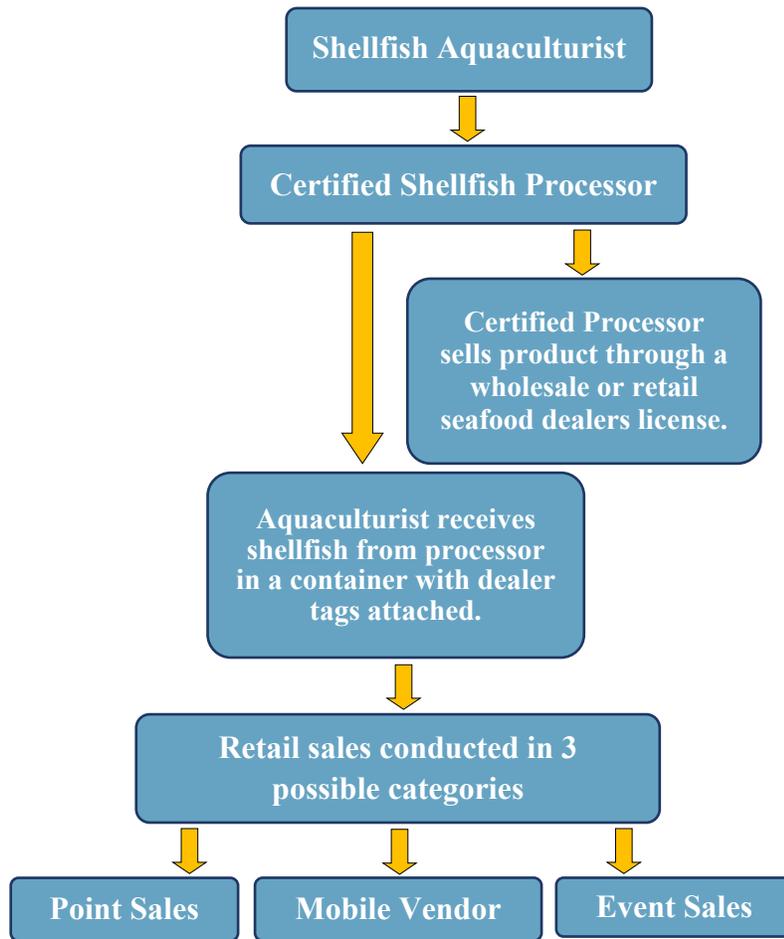


Retail Sales of Aquacultured Shellfish

Steps to Selling Farmed Shellfish at Retail Markets

- Harvest and delivery to a certified shellfish processor**
 - Farmers must follow all standard shellfish tagging and harvesting rules.
 - All farmed shellfish must be received and placed under refrigeration by a certified shellfish processor the same day as harvest within the correct time indicated on the [Refrigeration Time for Shellfish at a Certified Dealer](#) table.
- Shellfish are received, processed and tagged with a processing tag by a certified shellfish processor.**
- After processing, certified aquaculturists may sell their farmed shellfish to retail through different methods.**
- All retail sales methods require the following records and procedures.**
 - Must have a valid Aquaculture Certificate of Registration or AQ card on hand during transportation and sale.
 - All records and receipts of sales must be retained by the certified aquaculturist for a minimum of 2 years, and may be subject to inspection by the Department at any time.
 - All dealer or processor tags must be removed and retained for a minimum of 90 days following sale.
- All sales receipts must contain the following information:**
 - Name and address of seller
 - Seller's Aquaculture Certificate of Registration number
 - Name and ID Number of the Certified Shellfish Processor
 - Quantity and type of aquaculture product sold (oysters or clams).
 - Temperature of product at sale (must be below 45°F)
 - Date of sale

Product Flow Chart for Retail Sales of Farmed Shellfish



See the next page for information on each sales type, special requirements and to determine what records and authorizations are required for the type of retail sale you wish to conduct.

Transportation Requirements

- All aquacultured shellfish leaving a certified processing shellfish facility must be transported in a clean, pre-chilled enclosed container.
- Refrigeration (mechanical or ice) must be maintained below 45°F at all times.
- All ice must be obtained from a licensed commercial vendor.
- A thermometer must be kept inside the container at all times and final temperature must be recorded on all sales receipts and tags upon delivery to the customer.



Requirements for Different Shellfish Retail Sales Types

	Point Sales	Mobile Sales	Event Sales
What's included in this category?	Restaurants, Seafood Markets, Direct to Customer (online orders, air shipment, direct delivery)	Road-side Stands, Pop-up Tent, Farmers' Market or similar	Fairs, Festivals, Carnivals, Football games or similar
Are additional permits needed?	No additional permit required	Mobile Vendor Permit from FDACS Division of Food Safety	Temporary Event License from Florida Department of Business and Professional Regulation
Additional restrictions or requirements	<ul style="list-style-type: none"> ◆ Cannot break down a bag of shellfish from the processor with a single tag into smaller amounts. ◆ If you wish to sell specific quantities (by the dozen), the processor must create smaller containers with individual tags attached before leaving the facility. 	<ul style="list-style-type: none"> ◆ Can break down a bag with a single processor tag into smaller amounts. ◆ Commissary Letter of Agreement required and can be a cooperating shellfish processing facility. ◆ Additional record keeping is required. Contact Division of Food Safety for more information. 	<ul style="list-style-type: none"> ◆ At an event, vendors may sell shellfish either whole or shucked. ◆ If shucking, additional sanitation equipment and record requirements exist (for example, handwashing stations). Contact DBPR for more information.
Contact	Florida Department of Agriculture and Consumer Services, Division of Aquaculture (850) 617-7600 Aqua_PPCIP@FDACS.gov	Florida Department of Agriculture and Consumer Services, Division of Food Safety (850) 245-5520 FoodInsp@FDACS.gov	Florida Department of Business and Professional Regulation, Division of Hotel and Restaurants (850) 487-1395 Dhr.ifo@myflorida.com
Website	www.FDACS.gov/Agriculture-Industry/Aquaculture/Shellfish-Processing-Facility-Certification	www.FDACS.gov/Business-Services/Food-Establishments/Mobile-Food-Vendors	www.MyFloridaLicense.com/DBPR/hotels-restaurants/licensing/temporaryevent-guide/

Frequently Asked Questions

- 1) **Can I break a bag of 100 into 50 for customers?** Bags cannot be broken down for Point Sales directly to a customer or retail market from the certified shellfish processor. Only certified shellfish processors or retail vendors permitted by the Division of Food Safety (*i.e.*, Mobile Vendor Permit) are allowed to break down a container of shellfish. Breaking down bags of product that have a single processor tag is considered processing. See above for more details about a Mobile Vendor Permit.
- 2) **Should I give a tag to the customers?** Tags are Hazard Analysis Critical Control Point (HACCP) records and must be kept by the retail market for 90 days. When selling to individual consumers, the aquaculturist becomes the “retail” market and must remove and retain the Dealer tags. However, when an aquaculturist sells to another retail outlet (*i.e.* restaurant or seafood market, etc..) then the Dealer tags remain attached and will be removed by that retail facility when the product is sold. A receipt or invoice must be provided with each sale to the customer, and the receipt must list the certified shellfish processor and Aquaculture Certificate of Registration numbers. Receiving and sales records must also be maintained by the aquaculturist for all retail sales.
- 3) **Can I tumble at the dock on our boat and then replant?** No, aquaculturists may not wash on docks or at home. All culling and tumbling must be done over the lease on a boat. If you are also a certified shellfish processor, you may wash and tumble product at your own processing facility.
- 4) **What are the procedures for air shipments?** Only FedEx will accept shipments of live shellstock for intra- or inter- state shipping. Contact your local FedEx office for rates, paperwork and shipping materials (if needed). Packages should be heavily insulated and stocked with sufficient ice packs to maintain internal temperature.
- 5) **Can I sell aquacultured shellfish out-of-state?** Yes, farmed shellfish, with a certified dealer tag attached, can be sold to retail in other states following all the shellfish processing and marking requirements outlined above. However, it is your responsibility to confirm licensing and rule requirements for the state which you plan to sell product in.

