



Retail Sales of Aquaculture Shellfish

Shellfish aquaculturists who currently hold an active Aquaculture Certificate of Registration may use this publication as a practical guide on the steps to selling farmed shellfish at retail markets. This publication will cover requirements for licensing, labeling, transporting and receipts of sales.

Steps to Selling Farmed Shellfish at Retail Markets

- Harvest and delivery to a certified shellfish processing facility.**
 - Farmers must follow all standard shellfish tagging and harvesting rules.
 - All farmed shellfish must be received and placed under refrigeration by a certified shellfish processing facility the same day as harvest within the correct time indicated in [Refrigeration Time for Shellfish to a Certified Shellfish Processing Facility](#).
- Shellfish are received, processed and tagged by the certified shellfish processing facility.**
- After processing, certified aquaculturists may sell their farmed shellfish to the retail market through different methods.**
- All retail sales methods require the following records and procedures:**
 - Must possess and have readily available an active Aquaculture Certificate of Registration 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 at any time.
 - All certified shellfish processing facility tags must stay with the shellfish until final sale to the end user. If sold to a restaurant or market the tags will stay with the product. If sold to a final customer then tags will be removed and retained by the aquaculturist for a minimum of 90 days following sale.

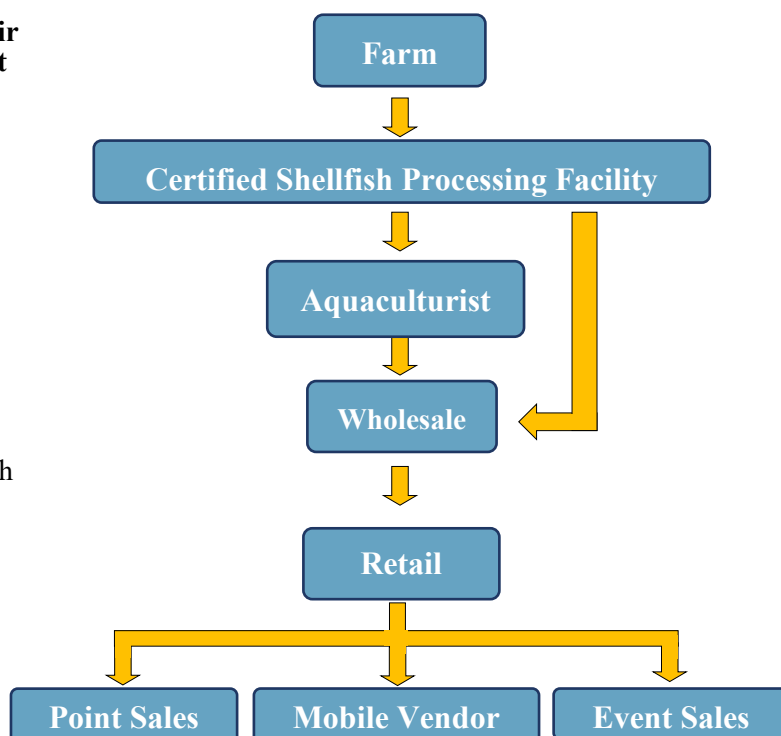
Sales Receipts Requirements

- Name and address of seller;
- Seller's Aquaculture Certificate of Registration number;
- Name and certification number of the shellfish processing facility;
- Quantity and type of aquaculture shellfish product sold (oysters or clams);
- Temperature of product at loading from a certified shellfish processing facility (must be 50°F or less); and
- Date of sale.

Transportation Requirements

- All aquaculture shellfish leaving a certified shellfish processing facility must be transported in a clean, pre-chilled enclosed container.
- Refrigeration must be maintained at 45°F or less at all times.
- If cooling with ice, all ice must be obtained from a licensed commercial vendor.

Product Flow Chart for Retail Sales of Farmed Shellfish



Requirements for Different Shellfish Retail Sales Types After Processing

	Point Sales	Mobile Vendor	Event Sales
What's included in this category?	Restaurants, seafood markets or direct to customer (e.g., online orders, air shipment, direct delivery)	Road-side stands, pop-up tent, farmers' market or similar	Fairs, festivals, carnivals, sporting events or similar
Are additional permits needed?	No additional permit required beyond Aquaculture Certificate of Registration	Mobile Vendor Permit from FDACS Division of Food Safety	Temporary Event License from Florida Department of Business and Professional Regulation (DBPR)
Additional restrictions or requirements	- Cannot break down a bag of shellfish from the certified shellfish processing facility with a single tag into smaller amounts. - If you wish to sell specific quantities (e.g., by the dozen), the certified shellfish processing facility must package them in smaller containers with individual tags attached before leaving the certified shellfish processing facility. - Product must be taken from a certified shellfish processing facility to direct point sale customer.	- May break down a bag with a single certified shellfish processing facility tag into smaller amounts. Commissary Letter of Agreement required and can be a cooperating certified shellfish processing facility. - Additional record keeping is required. Contact Division of Food Safety for more information.	- At an event, vendors may sell shellfish either whole or shucked on the half shell. - If shucking, additional sanitation equipment and record requirements exist. Contact DBPR for more information.
Contact	FDACS Division of Aquaculture (850) 617-7600 Aqua_PPCIP@FDACS.gov	FDACS Division of Food Safety (850) 245-5520 FoodInsp@FDACS.gov	DBPR Division of Hotel and Restaurants (850) 487-1395 Dhr.info@myfloridalicense.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 2 bags of 50 for point sales customers?** Bags cannot be broken down for Point Sales directly to a customer or retail market except at the certified shellfish processing facility. Breaking down bags of product that have a single certified shellfish processing facility tag is considered processing.
- 2) Should I give a tag to the customers?** Tags or Hazard Analysis Critical Control Point (HACCP) records 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 certified shellfish processing facility tags. However, when an aquaculturist sells to another retail outlet (e.g., restaurant or seafood market, etc.) then the certified shellfish processing facility 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 processing facility and seller's Aquaculture Certificate of Registration number. 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 or at a certified shellfish processing facility.
- 4) Can I sell aquaculture shellfish out-of-state?** Only certified shellfish processing facilities on the [Interstate Certified Shellfish Shippers List](#) (ICSSL) may sell product across state lines. Product being sold to retail in other states must be transported from the certified shellfish processing facility's certified location with appropriate documentation and recorded in the sales records of the certified shellfish processing facility.
- 5) Can I take product home before sale to customers?** Product cannot be stored at any location that is not a certified shellfish processing facility or licensed retailer. An aquaculturist can transport the product directly to the customer from the certified shellfish processing facility, but product cannot be stored at the aquaculturist's home for future sale.

