

Bulk Tagging

Rules and Regulations

1. A person may not handle, ship, transport, or process shellfish in bulk without a current bulk tagging permit issued by the Department of Marine Resources (DMR).
2. To obtain a bulk tagging permit, a person must apply on an annual basis to the DMR and must provide all information required.
3. When receiving bulk tagged shellfish, the certified dealer must have a Bulk Tagging Plan approved by the DMR.
4. A dealer receiving bulk tagged shellstock must have an intermediate processing plan approved by the DMR.
5. Bulk Tagging permits expire March 31st.

A bulk tagging permit is obtained on LEEDS, our online licensing website:

<https://maine-dmr-leeds-prod.pegacloud.com/>

Maine Dealer Bulk tags

Maine allows two types of bulk tagging, harvester to dealer, and dealer to dealer.

A Maine dealer may have a DMR approved *bulk tagging plan* between themselves and specified **harvester(s)**, which describes how the lot(s) will be handled and delivered to them prior to the Dealer attaching their shipper tags. Bulk tags can be used for getting the shellstock from the point of harvest to the Certified Maine Shellfish Dealer. This plan can only be made for harvesting mussels, quahogs, surf clams, or oysters (*not for soft shell clams*) Bulk tags must be legible and complete. One bulk tag may cover a (loose) lot or, if individual containers are placed on pallets, each pallet must be tagged. Dealers must consult with the DMR Public Health Division before ordering or attempting to use bulk tags. Harvester bulk tags are only for in-State use, and the Bulk tagging plan must fully describe how the product will be handled from the point of harvest to the Dealer; and include the harvesters and their license numbers, for all those who will be involved.

Maine dealers may also bulk tag their product for shipment to another certified dealer. The shipping and receiving dealers each must have their own bulk tag plan explaining how they will handle and manage the shellstock.

Bulk Tags

Harvester to Dealer

Page 83 of 2019 NSSP Model Ordinance, code XIII.02.F(7)

(7) Bulk tagging of a lot of shellstock during transport **from harvest area to the dealer** facilities.

(a) When shellstock are harvested from one (1) harvest area on a single day by a single harvester or aquaculture leaseholder, multiple containers may be utilized on a wrapped pallet, in a tote, in a net brailer, in a single boat, vehicle, conveyance or other container and the unit tagged with a single tag in accordance with the requirements of Section .02 F.

(b) In addition to the information required in Section .02 F. the unit tag shall also include:

(i) A statement that "*All shellstock containers in this lot have the same harvest date and area of harvest*"; and

(ii) Number of individual containers in the unit or an estimate of the total weight, volume or count.

Dealer to Dealer

Page 92 of 2019 NSSP Model Ordinance (MO), X.05.B

B. Tags.

(1) The dealers' tags shall:

(a) Be durable, waterproof and sanctioned by the Authority prior to use; and

(b) Be at least 13.8 square inches (89.03 cm²) in size.

(2) The dealer's tag shall contain the following indelible, legible information in the order specified below:

(a) The dealer's name and address.

(b) The dealer's certification number as assigned by the Authority.

(c) The original shellstock shipper's certification number. If depurated the original shellstock shipper's certification number is not required.

(d) The harvest date; or if depurated, the date of depuration processing, or if wet stored, the original harvest date, and the final harvest date which is the date removed from wet storage.

(e) If wet stored or depurated, the wet storage or depuration cycle or lot number. The wet storage lot number shall begin with the letter "w".

(f) The most precise identification of the harvest location as is practicable including the initials of the State of harvest, and the Authority's designation of the growing area by indexing, administrative or geographic designation. If the Authority has not indexed growing areas, then an appropriated geographical or administrative designation must be used (e.g., Long Bay, Decadent County, lease number, bed, or lot number).

(g) The type and quantity of shellstock.

(h) The following statement in bold capitalized type on each tag:

"THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR IS RETAGGED AND THEREAFTER KEPT ON FILE, IN CHRONOLOGICAL ORDER, FOR 90 DAYS." "RETAILERS: DATE WHEN LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED (INSERT DATE) _____."

(i) All shellstock intended for raw consumption shall include a consumer advisory. The following statement, from Section 3-603.11 of the Current Food Code, or an equivalent statement, shall be included on all shellstock: "Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions."

(j) The statement "Keep Refrigerated" or an equivalent statement.

Page 93 of 2019 NSSP MO, X.05. C

C. Bulk Tagging Lots of Shellstock for **Sales between Dealers**.

(1) When a single lot of shellstock is sold, multiple containers may be used on a wrapped pallet, in a tote, in a net bailer, or other container and the unit tagged with a single tag in accordance with Section .05 B. (1) through (4).

(a) This bulk tagging provision shall not apply to sales to reshippers;

(b) The shipment must be accompanied by a transaction record stating the name of the consignee who must be a certified dealer;

(c) In addition to the information required in Section .05 B. (1) through (4) the unit tag shall also include:

(i) A statement that "*All shellstock containers in this lot have the same harvest date and area of harvest*"; and

(ii) Number of individual containers in the unit.

Bulk Tag Invoices and Transaction Records

Page 94 of 2019 NSSP MO, X.05. F

F. Transaction Record. If shellstock are sold in bulk, the dealer shall provide a transaction record prior to shipment. This transaction record shall contain all the information required in Section .07 ~~B~~. **This is a typo in the MO, should be 05. B**, with the addition of the name of the consignee.

Generic Plans (examples)

Bulk Tagging Plan

Harvesters fishing in a single harvest area during a single harvest day land (whatever shellfish you handle **except soft shelled clams**) at a local wharf. The (mussels, quahogs, surf clams, oysters) are palletized, and a bulk tag will accompany each pallet of product from each harvester. The captains of the fishing boats will be instructed on the bulk tagging procedures.

Pallets will be piled to a total of 36 bags for bushel bags and iced, if necessary. Pallets will be wrapped with shrink wrap and the appropriate bulk tag will be inserted between the mussels,

quahogs, surf clams, oysters, and plastic wrap in such a way as to be seen when approaching the pallet. Captains and crew, in addition to plant personnel, will be instructed that under no circumstances will they add incoming (mussels, quahogs, surf clams, oysters) to existing pallets. The (mussels, quahogs, surf clams, oysters) are transferred from the wharf to our cooler by certified vehicle. Bulk tags will remain with the pallet until all of the product is used; the tag will then be forwarded to the main office for proper filing. Bulk tags are attached to the purchase order form and are kept on file for one year.

If lots are to be resized after being transferred to our facility, we will follow our intermediate processing, and commingling plans (if pertinent) on file with the DMR.

Dealer tags put on final product containers are filled out with the pertinent information from the master tag from each bulk lot.

Harvesters

John Smith License # 001
Jane Smith License # 002

Dealers

Smith Oysters ME 1234 SS
Jane Oysters ME 4321 SP

Intermediate Plan

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Tagging of a Lot of Shellstock during Intermediate Processing.

- (1) When the shellstock is removed from the original container, the dealer shall:
 - (a) Keep the harvester tag for ninety (90) days;
 - (b) Keep track of the growing area and date of harvest for shellstock; and
 - (c) Maintain the lot identity of all shellstock during any intermediate stage of processing.
- (2) A dealer receiving bulk tagged lots of shellstock must have an intermediate processing plan approved by the Authority to ensure that each lot of shellstock is kept separate and identified in a way which prevents commingling or misidentification.
- (3) In order for a dealer to tag a lot container (e.g., a pallet) of shellstock in lieu of meeting the requirement in Section .05 B. for a harvester or dealer tag on each individual container, the dealer shall have an intermediate processing plan approved by the Authority, which establishes the procedures, the dealer shall use to tag the lot during the washing, packing or staging of shellfish.
- (4) Unless the dealer is included in the Authority's commingling plan under Chapter I. @.01 F., the dealer's intermediate processing plan for tagging a lot of shellstock during the intermediate stage of processing shall ensure that each lot of shellstock is separated and identified in a way which prevents commingling or misidentification. The identification shall

be provided by:

- (a) A harvester's or dealer's tag which meets the requirements of Section .05 B.; or
- (b) A tag for each lot of shellstock that contains the following information:
 - (i) A statement that "All shellstock containers in this lot have the same harvest date and area of harvest";
 - (ii) Harvest date;
 - (iii) Growing area;
 - (iv) Original dealer certification number; and
 - (v) Number of individual containers in each lot of shellstock container (e.g., a pallet) after washing, packing or staging has been completed.
- (5) When a dealer has an approved intermediate processing plan, the dealer shall tag each lot of shellstock in accordance with the intermediate processing plan while the lot of shellstock is being processed in the plant.

[REDACTED] Inc. may at some times repack shellstock into different size bags for shipment. At this time we will make every effort to use only one lot of shellfish at a time; however we may have to change lots at times to fill orders. Intermediate processing labels, filled out with the lot information, are put on the pallets to make sure lots aren't commingled prior to packing and shipment.

During packing, shellstock from one lot will be placed onto a table and then placed into appropriate size packaging for the order. If a small size bags are used (i.e. 5#'s) we will not place a dealer tag on the small bags but a dealer tag will be placed on the larger box which contains the small bags, with all the harvest information, dealer code and date. Records will be keep on the number of bags an total weight of the whole order for a year. If large bags are used (i.e. 25# or bigger) we will tag every bag.

Any leftover product from the lots will be stored on a separate pallet and identified with an intermediate processing lot label. The amount of left over product will be noted on the label. The product will be saved in the storage area until needed. Record will be maintained to ensure tracability of leftover product as it is packed into future orders.

Harvester to Dealer Bulk Tag Example

Bulk Shellfish Harvester Tag	Keep Refrigerated
Harvester: <u>John Smith</u>	Aquaculture License #: <u>001</u>
Harvest Date: _____	Harvest Time: _____
Harvest area (in ME): _____	
Shellfish Type: <u>Blue Mussels</u>	Quantity: _____
Destination: <u>Portland, Maine</u>	
Consignee (Dealer Name, Address, and Certification Number): _____	
<p>THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR IS RETAGGED AND THEREAFTER KEPT ON FILE IN CHRONOLOGICAL ORDER FOR 90 DAYS. ALL SHELLSTOCK CONTAINERS IN THIS LOT HAVE THE SAME HARVEST DATE AND AREA OF HARVEST.</p>	

Dealer to Dealer Bulk Tag Example

Bulk Shellfish Dealer Tag	Dealer Co. Name	Keep Refrigerated
	Dealer Address	
	Phone Number	
	Dealer Certification #: <u>ME XXX SP</u>	
Harvest Date: _____		
Harvest area (in ME): _____		
Shellfish Type: <u>European Oyster</u>		Quantity: _____
Destination: <u>Edgecomb, Maine</u>		
Consignee (Dealer Name, Address, and Certification Number): _____		
<p>THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR IS RETAGGED AND THEREAFTER KEPT ON FILE IN CHRONOLOGICAL ORDER FOR 90 DAYS. ALL SHELLSTOCK CONTAINERS IN THIS LOT HAVE THE SAME HARVEST DATE AND AREA OF HARVEST.</p>		

*Note, both tags do not have to be displayed exactly as these but need to list the same information in the same order. The verbiage at the bottom in bold needs to be written exactly word for word according to the Model Ordinance.