



STATE OF CONNECTICUT
DEPARTMENT OF AGRICULTURE
Bureau of Aquaculture & Laboratory Services



Bryan P. Hurlburt
Commissioner

David H. Carey
Director

TO: Department of Public Health (DPH) and Local Health Departments and Districts

FROM: Department of Agriculture Bureau of Aquaculture
Department Contact: Kristin DeRosia-Banick
Kristin.DeRosia-Banick@ct.gov
Cell: 203-209-4023

SUBJECT: Guidance for the Direct Sales of Shellfish by Licensed Shellstock Shippers During COVID-19

CC: Tracey Weeks, DPH Food Protection Program Coordinator: Tracey.Weeks@ct.gov
Bryan Hurlburt, Commissioner, Department of Agriculture: Bryan.Hurlburt@ct.gov
David H. Carey, Director, Connecticut Department of Agriculture Bureau of Aquaculture: David.Carey@ct.gov
Captain Keith Williams, Connecticut Department of Energy and Environmental Protection: Keith.Williams@ct.gov

Attachments: Guidance for the Direct Marketing of Shellfish by Licensed Shellstock Shippers During COVID-19

Dear Public Health Community;

Licensed Shellstock Shippers I operations are considered an **Essential Food and Agriculture** business, and shellfish harvested by these businesses are an Approved food source. All licensed Shellstock Shippers appear on the Interstate Certified Shellfish Shipper's List. These operations may sell directly to the public from either their land-based facility or at a designated pickup location, provided they are selling from an approved conveyance that has been inspected and licensed by the DoAG for temperature-controlled storage of shellfish. They may also deliver shellfish direct to the consumer from a DoAG licensed conveyance.

All Shellstock Shipper I facilities and conveyances are inspected by the DoAG and considered to be a critical part of the dealer's facility. Approved methods of temperature control such as the use of ice and insulated totes that have been evaluated by DoAG inspector may also be used. These conveyances must meet specific requirements in order to be used for the transport of shellfish and are not added to a license until they have been inspected and certified by the DoAG as suitable for temperature-controlled storage of shellfish. All licensed Shellstock Shipper I operations are required to be certified in Seafood HACCP and have extensive recordkeeping and sanitation procedures in place. These operations are inspected by DoAG staff on a biennial basis as required by the National Shellfish Sanitation Program.

The DoAG is providing the attached updated guidance document to clarify the existing licensing requirements for direct sales and to add additional COVID-19 specific guidance. It is important to note that this method of distribution is not a new practice, however to date has not been widely practiced in our state.

Given that our licensed harvesters are an Approved food source and considered essential Agriculture and Food business, the Department would like to assure the Local Health Departments that we will continue to have oversight over the licensed shellstock shipper activities. Considering the current situation, Department staff play a role in ensuring that the industry has the information needed to allow them to follow best practices for this activity.

Background

Connecticut's shellfish industry has been severely impacted by the COVID-19 situation. Much of Connecticut's shellfish industry is reliant upon wholesale distribution. Connecticut shellfish is typically shipped out-of-state to wholesale markets in New York and Boston, before being shipped back into CT for distribution to restaurants. This model of distribution is no longer viable during the COVID situation, as many restaurants are not purchasing shellfish, as shellfish are generally not amenable to take-out.

According to Governor Lamont's Executive Order 7H: Restrictions on Workplaces for Non-Essential Businesses (State of Connecticut, 2020):

Effective on March 23, 2020 at 8:00 p.m. Non-essential businesses or not-for-profit entities shall reduce their in-person workforces at any workplace locations by 100% not later than March 23, 2020 at 8:00 p.m. *Any essential business or entity providing essential goods, services or functions shall not be subject to these in-person restrictions.*

For purposes of Executive Order 7H, "essential business," means:

Essential workers in the 16 Critical Infrastructure Sectors, as defined by the federal Department of Homeland Security unless otherwise addressed in a prior or future executive order pertaining to the existing declared public health and civil preparedness emergency.

Essential Food and Agriculture businesses include the following:

- o farms and farmer's markets
- o food banks
- o food manufacturing, processing, storage, and distribution facilities
- o restaurants/bars (provided compliance with all applicable executive orders is maintained)
- o all manufacturing and corresponding supply chains, including agriculture

The Department of Agriculture (DoAG) has been fielding emails from municipal health departments and districts asking for guidance and clarification on licensed shellstock shippers selling product directly to consumers via a farm stand or other designated pickup location. Given that many health departments are already working under extreme duress, the Department would like to offer the following information to relevant state and local agencies to emphasize that this direct to consumer option is available.

The attached guidance has more specific information including the following:

- The producer should ensure that they are holding a current Shellstock Shipper I license and have it on their person and available for review when conducting direct sales.

- The **CT Shellstock Shipper License number (CT # SS), Name of Company, and Vehicle License Plate Number** must be printed on a sign that is visible to the public at the off-site location for direct sales.
- Under no circumstances are shellstock to be shucked or otherwise offered for sampling under this direct sales guidance. Shucking to serve activities require a ***Temporary Food Service or other permit from the local health department.***
- Shellfish that have been shucked and packed by a licensed shellstock shucker-packer may be offered for sale, however containers must remain closed until in the possession of the consumer. **Customers should be discouraged from consuming shellfish at the pickup location.**
- All shellfish must remain in the possession of the shellstock shipper until sold to the public. No shellfish should remain at the offsite location for later distribution or resale to the public.
- The guidance states that the producer's **CT Shellstock Shipper License number (CT # SS), Name of Company, and Vehicle License Plate Number** must be printed on a sign that is visible to the public at the off-site location for direct sales.
- Accurate documentation and recording of product sold is critical to allow the authority to trace-back shellfish to the source in case of illness. All original shipper tags should be maintained in chronological order for a period of 90 days.
- A **direct sales log** should be maintained that includes specific information to allow trace-back of product sold to the specific day and location. A template log is also available and will be distributed along with this guidance.
- Relevant HACCP records, harvest and sanitation logs, etc. should continue to be maintained as for wholesale distribution.

If a licensed shellstock shipper is interested in marketing shellstock from an offsite location, they will work with the business owner at each location to establish an arrangement. If a licensed Shellstock Shipper I would like to be included on the CT Grown Map (<https://guide.ctnofa.org/>) for direct sales from their facility or off-site location, we are asking that they complete the **online form*** DoAG. A new form should be completed for each off-site location that will be used as a point-of-sale.

Many of our growers would be able to benefit from businesses that have maintained foot traffic during the COVID crisis, by permitting them to designate pickup locations at breweries, wineries, land-based farms, restaurants offering take-out, etc. So many Connecticut businesses are struggling, and these partnerships could help bring in much needed revenue, as well as connect the public directly to a fresh and local source of food.

Much of our industry do not have existing direct marketing expertise, so by allowing them to collaborate and partner in this manner, it may bring in enough income to help sustain them until wholesale markets are available again. Many of the operations that they would partner with have expertise in social media and can help advertise the availability of fresh and local shellfish directly from the licensed shellfish harvester.

This direct to consumer model allows the shellfish industry to benefit from businesses that have maintained foot traffic during the COVID-19 crisis, by permitting them to designate off-site pickup locations at breweries, wineries, land-based farms, restaurants offering take-out, etc. Many of these businesses are also struggling, and these partnerships could help bring much needed revenue into the economy, as well as connect the consumer directly to a fresh and local source of food.

The Department would like to thank Connecticut's public health professionals for their service during these uncertain times. Department staff are available to answer any questions about these activities.

Thank you for your support of Connecticut Agriculture and Aquaculture Industries.

Kristin DeRosia-Banick
Environmental Analyst III
State of Connecticut Department of Agriculture
Bureau of Aquaculture

Office: 203.874.0696 ext 112

Cell: 203.209.4023

Fax: 203.783.9976

Email: Kristin.DeRosia-Banick@ct.gov

www.ctgrown.gov/Aquaculture