

FISHERMAN TO CONSUMER MARKETING

State and Local Regulations in Oregon

Commercial fishermen, accustomed to fluctuations of supply and demand, often look for new ways to market their catch. Some consider selling directly from their boat, truck, or small roadside stand.

Such a decision requires careful thought to potential problems: regulations, licenses, transportation, cold storage, price monitoring, packaging, sale location, and time away from fishing. In the long run, you may decide it's to your advantage to sell your catch to a processing plant so you can spend more time fishing.

If you decide to sell your catch directly to the public, you will need to obtain a number of licenses and forms—from several different state and local agencies—and pay the necessary fees. This fact sheet lists the required forms, licenses, and fees. Remember, fees (current as of 1999) are subject to change.

Here are the agencies you'll need to contact.

OREGON DEPARTMENT OF FISH AND WILDLIFE (ODFW)

2501 SW First Avenue
P.O. Box 59 Portland, OR 97202
503-872-5275 TDD 503-872-5259

1. If you intend to sell only from your own boat, ODFW requires only that you obtain a limited fish seller permit (\$20 fee, \$200 deposit). If you wish to sell salmon, you need a special salmon endorsement to your permit; only 40 of these endorsements are available each season, and they are awarded on a first-come, first-served basis, depending on the postmark date of the requests. If you want to fillet fish on your boat under a limited fish seller permit, you must first have had a sanitation inspection by the Oregon Department of Agriculture (ODA). For detailed information on the limited fish seller permit, contact ODFW at 503-872-5275, ext. 5534, and request a copy of *Selling Fish on Your Boat*.
2. If you plan to sell from a stand, a truck, or anywhere besides the boat you own or operate, state law requires you to become a licensed wholesale fish dealer, just as if you were operating a processing plant (which also requires a license from ODA). The wholesale fish

dealer license fee is \$350. ODFW also requires a minimum bond of \$1,000 for the license. Your insurance company can issue a bond, usually for a relatively low fee, or you may pay a cash deposit of \$1,000 to ODFW instead.

The wholesale fish dealer license is issued to a single, fixed location. For a vessel to qualify, it must be moored at a specific berth, which will be designated on the license as your business location. For information on ODA processing or retail fish market licenses, see the next section of this brochure, or contact ODA for requirements.

3. As a wholesaler, you are responsible for reporting your catch and paying an ad valorem tax (a tax on the value of the fish) to ODFW. Normally, you weigh the catch at your business location and record the information on a form commonly called a "fish ticket." Once you have filled out the ticket, you may move the product elsewhere for sale. Be sure to keep the fish ticket with the product during transportation and sale.

ODFW will provide you with fish tickets and instructions for filling them out, as well as information on filing your monthly report and tax payments.

4. If your business is located off your boat, a transportation ticket must accompany the catch until you fill out the fish ticket at your business location. Create your own transportation tickets which include the following information:
Date:
Caught by (name and commercial fishing license no.):
Delivering to (address):
Species:
Number of fish:
Approx. weight (lbs.):
This ticket can prevent potential problems should you be questioned about your cargo.
5. A wholesale license allows you to buy fish from other fishermen at your business location without a buyer's license. However, if you buy elsewhere in Oregon and transport the purchased fish back to your business location for sale, you must purchase a fish buyer license (\$150) from ODFW.
6. If you transport fish or shellfish into Oregon from out of state, you must have

in your possession a document stating where the catch was landed, where you are taking it, and its approximate weight. A delivery ticket from the state where you landed the catch is adequate, as is a bill of lading, a letter from your buyer, or an invoice.

If you plan to sell fish landed out of state to consumers in Oregon, you do not need any ODFW licenses. However, if you plan to sell to a retailer who will then resell the product, you do need an Oregon wholesale fish dealer license.

Be sure to check regulations for landing and transporting fish and shellfish in the state where you land your catch.

OREGON DEPARTMENT OF AGRICULTURE (ODA)

635 Capitol NE Salem, OR 97310
Contact: Administrator, Food Safety Division, 503-986-4720

1. No ODA license is required if you sell only raw agricultural products (whole or dressed fish) directly from your boat. You must have an ODA sanitation inspection of your boat if you plan to fillet fish on board.
2. If you sell from a vehicle or stand, an ODA retail license (\$75 minimum) is required. A food processor's license (\$75 minimum) is required if you do any shoreside processing, such as cooking crabs or filleting tuna. If you have the product processed in an ODA-licensed facility, you do not need a processor's license.
3. You must use an ODA-approved scale for all sales (see Measurement Standards).
4. Keep the temperature of your catch under 40°F at all times. Proper icing should be sufficient.
5. Your business location is subject to provisions of the Retail Food Establishment Standards. Call ODA for a copy.

MEASUREMENT STANDARDS DIVISION

503-986-4670

1. You can purchase new or used scales that are legal for trade (known as Class III weighing devices) from a reputable scale dealer. You won't find these in your local hardware store. Several companies listed under "scales" in Portland

offer them. Be sure to determine that a scale is accurate and certifiable by the Oregon Measurement Standards before you buy it.

2. Obtain a scale license application from the ODA Measurement Standards Division. Once you have filled out the application and sent it in with the annual (July 1–June 30) fee (\$20 for scales up to 400 pounds capacity), you may use the scale if it is an accurate Class III weighing device. Appointments for scale testing can be made at the Salem metrology lab at 503-986-4672. You do not need to have the scale tested before you use it if it is a licensed, accurate, Class III device. A license certificate will be mailed to you.

OREGON DRIVER AND MOTOR VEHICLE SERVICES (ODMV)

1. If you transport your catch to another location, no special license is required if your gross vehicle weight (loaded) is under 8,000 pounds.
2. If your loaded vehicle weighs more than 8,000 pounds, contact the ODMV about licensing and permit requirements. You can contact your local ODMV office, or call the central customer assistance line at 503-945-5000.

COUNTY COURTHOUSE

1. Check the county planning department regulations on zoning requirements for selling from a vehicle or stand on the public right-of-way. Also, obtain permission from the appropriate body (state Highway Division, county road office) before setting up a stand.
2. If you want to sell from private property, get permission from the owner and check with the county for zoning regulations.

CITY CITY HALL

1. If you want to sell from a vehicle or stand within a city limits, check to see if you need a business license, a vendor's license, or both. Prices vary considerably from town to town.
2. If you want to sell on private property, be sure to get the owner's permission, buy a business license, and make sure you meet city zoning requirements.

OTHER

Additional requirements for individual species:

1. Crab: Obtain poundage fee forms from the Oregon Dungeness Crab Commission, P.O. Box 1160, Coos Bay, OR 97420; 541-267-5810. As of 1999, fees are 1% of cash value of your catch.
2. Salmon: Obtain poundage fee information and forms from the Oregon Salmon Commission, P.O. Box 983, Lincoln City, OR 97367; 541-994-2647. As of 1999, fees are 1.5% of cash value of your catch.
3. Bottomfish, shrimp, scallops (trawl-caught): Obtain first purchaser's report forms from the Oregon Trawl Commission, P.O. Box 569, Astoria, OR 97103; 503-325-3384. As of 1999, fees are 1% of cash value of your catch.
4. HACCP: You do not need to have an FDA/ODA HACCP or sanitation plan unless you are processing on board (not including troll-dressing salmon). Processors may place HACCP-related requirements on albacore vessels.

FOR FURTHER INFORMATION

Oregon Sea Grant and the OSU Extension Service offer many publications that may be useful to fishermen wishing to market their own catch.

Please order by publication number; when fees are charged, prepayment is required.

The following publications are available from

Oregon Sea Grant Communications
Oregon State University
402 Kerr Admin. Bldg.
Corvallis, OR 97331-2134

Oregon Sea Grant Publications Directory.
No charge.

Albacore Tuna: A Quality Guide for Off-the-Dock Purchasers. ORESU-G-95-003.
\$.50. Also on the Web at <http://seagrants.orst.edu/sppubs/onlinepubs/g95003.pdf>

Ensuring Food Safety . . . The HACCP Way: An Introduction to HACCP & a Resource Guide for Retail Deli Managers. T-030.
\$1.

Hazard Analysis and Critical Control Point Applications to the Seafood Industry. ORESU-H-92-001. \$4.

Preparation of Salt Brines for the Fishing Industry. ORESU-H-99-002. \$.50.

Quality Control and Quality Assurance for Seafood. (Conference proceedings) ORESU-W-93-001. \$15.

Understanding and Controlling Histamine Formation in Troll-Caught Albacore

Tuna: A Review of Preliminary Findings from the 1994 Season. ORESU-T-95-001. No charge.

The following publications are available from

Publication Orders
Extension & Station Communications
Oregon State University
422 Kerr Admin. Bldg.
Corvallis, OR 97331-2119

Parasites in Marine Fishes: Questions and Answers for Seafood Retailers. SG 79. No charge. Also available on the Web at eesc.orst.edu

Farmer-to-Consumer Marketing, Vols. 1–6. PNW 201-207. \$.50 each. Although intended for an agricultural audience, these publications may be useful to fishermen as well. Topics include production and marketing costs, merchandising, pricing and promotional strategies, and financial management.

Cleaning and Sanitizing Agents for Seafood Processing Plants. SG 21. \$.75.

The following publication is available from

Alaska Dept. of Commerce and Economic Development
Division of Trade and Development
P.O. Box 110804
Juneau, AK 99811

Alaska Fisherman's Direct Marketing Manual. No charge.

The following publication is available from UC Davis, on the Web at seafood.ucdavis.edu/pubs/marketing.htm

The Vessel Retail Guide for Northern California Fishermen.

Compiled by Ginny Goblirsch, Extension Sea Grant agent, with assistance from Kenneth Hilderbrand, Extension Sea Grant seafood specialist. Please address requests for information directly to the agency or office responsible for the aspect of direct marketing that concerns you.

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