

# MEMORANDUM



**To:** Florida Fish and Wildlife Conservation Commissioners  
**From:** Jessica McCawley, Director, Marine Fisheries Management  
**Date:** September 27, 2018  
**Subject:** Final Public Hearing – Live Food Shrimp

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**Purpose:**

Obtain final approval for amendments modifying statewide shrimp regulations in 68B-31.009, Florida Administrative Code (FAC), to clarify regulation of the commercial food shrimp fishery that allows shrimp to be maintained alive prior to sale. This will require approval of a notice of change to modify language previously advertised.

**Summary:**

Florida's shrimp fishery is one of the oldest and most valuable commercial fisheries in the state. The Commission's shrimp regulations are a conglomerate of rules with different origins. These regulations are complex, partly because of their historically variable origins and the unique regionality of the shrimp fishery. This rulemaking is the first step in a long-term project to streamline and modernize these rules.

The commercial shrimp fishery harvests shrimp for both bait and food. Historically, bait shrimp have been maintained and sold alive, while food shrimp were traditionally sold dead and were required to be iced after harvest to maintain proper seafood safety. Similar to the demand for live spiny lobster that emerged in recent years, a global demand for live food shrimp has developed. There are currently no regulations in the Commission's shrimp rules that address maintaining food shrimp alive to the market. Based on the increased demand for live product, the industry has requested modifications to the shrimp regulations that would allow for the transport of live food shrimp.

In order to allow harvesters to participate in the evolving market for live food shrimp, staff recommended at the June Commission meeting that rule amendments be made to establish regulations that would specifically address and allow this practice statewide. The rule amendments would clarify live food shrimp are not required to be iced during transport (as required in 68E-27.022(5), FAC) and establish transit requirements for food shrimp that are maintained alive prior to sale. As an update to the previously approved draft rule language, staff recommends removing proposed language related to dealer storage requirements because that language is extraneous since state and federal food safety regulations already apply.

**Staff Recommendation:**

Staff recommends approving the proposed final rule for 68B-31.009, FAC. Staff does not recommend moving forward with the previously proposed dealer storage requirements since state and federal rules already apply.

If approved, staff will advertise changes to the proposed rules via a Notice of Change. Staff recommends making this rule effective as soon as possible.

**Staff Contact and/or Presenter:**

Jessica McCawley, Division of Marine Fisheries Management