Fisherman-to-consumer marketing: State and local regulations in Oregon

As commercial fishermen find traditional markets closed or unacceptable, some have become interested in alternative ways to sell their catch. A few are thinking about becoming wholesale fish dealers so they may sell directly to the public from their boat, truck, or small roadside stand.

In making your decision whether or not to become a wholesaler on this scale, give careful thought to potential problems: regulations, licenses, transportation, cold storage, price monitoring, packaging, sale location, and time away from fishing.

If you decide it is to your advantage to sell your catch directly to the public, you will need to obtain a number of licenses and forms. This fact sheet lists those licenses and forms. It includes fees to give you an idea of cost—they will undoubtedly change.

Taking extra care to insure that the seafood you sell is attractive, fresh, and reasonably priced can make the difference between success or failure of your venture.

Here are the agencies you’ll need to consult.

Oregon Department of Fish and Wildlife
506 SW Mill St., P.O. Box 3503
Portland, OR 97208, phone 229-5507
Contact: Supervisor, licensing and revenue

1. State law requires that all commercially caught fish and shellfish be sold to a wholesale fish dealer. Normally, this is a processing plant. If you want to sell your catch directly to the public, you must obtain a wholesale fish dealer license from ODFW ($100). ODFW also requires a minimum bond of $1,000 for the license. Your insurance company will issue the bond for a fee of about $50 (a cash deposit of $1,000 is acceptable in lieu of the bond). The wholesale fish dealer license is issued to a single, fixed location. For your vessel to qualify, it must be moored at a berth that you rent or own. This moorage berth will be designated on the wholesale license as your business location.

2. As a wholesaler, you are responsible for reporting your catch and paying poundage fees to ODFW. Normally, you do this by weighing the catch as you sell it at your business location and recording the information on a form commonly called a “fish ticket.” Once you have filled out the fish ticket at your business location, you may then move the product elsewhere for sale. Be sure to keep the fish ticket with the product during transportation and sale.

At the time the wholesale fish dealer license is issued, ODFW will provide you with fish tickets and instructions for filling them out, as well as information on filing your monthly report and poundage fee payments. Examples of poundage fees for the 1982 season are: 5.75¢ for troll-dressed salmon, 0.3¢ for groundfish, and 0.35¢ for albacore tuna.

3. If your business location is someplace other than your boat, a transportation ticket must accompany the catch until you fill out the fish ticket at your business location. You can obtain transportation tickets from ODFW or write out your own: State who caught the product, the commercial fishing license number, where the product is being delivered (your business location), the species, the approximate number of fish, and the approximate weight. This ticket prevents potential problems with law enforcement people if you should ever be questioned about your cargo.

4. With the wholesale fish license, you may purchase fish from other fishermen at your business location without obtaining a buyer’s license. However, if you buy elsewhere in Oregon and transport the fish you purchase back to your business location for sale, you must purchase a fish buyer license ($50) from ODFW. Use this license to purchase fish for the wholesaler (yourself) and to transport the fish you purchase back to your wholesale business location for sale.

5. If you transport fish or shellfish into Oregon from out of state, you must have in your possession documentation 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 would be adequate, as would be a bill of lading, a letter from your buyer, or an invoice. If you are going to sell out-of-state landed fish to the consumer in Oregon, you do not need any licenses from ODFW. However, if you plan to sell to a retailer (someone 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
635 Capitol NE, Salem, OR 97310
Food and Dairy Section: phone 378-3790
Contact: Administrator, Food and Dairy Section

1. No OSDA license is required at this time if you sell your catch directly off your boat.

2. If you sell from a vehicle or stand, an OSDA retail license is required ($25). A food processor’s license is required ($50) if you do any shoreside processing, such as cooking crabs or filleting tuna. If you have the product processed in an OSDA-licensed facility, you do not need a food processor’s license.

3. You must use an OSDA-approved scale for all sales (see other side).

4. Keep your catch under 45°F at all times. Proper icing should be sufficient.

5. Your business location is subject to the provisions of the Retail Food Establishment Sanitation Standards. While
OSDA realizes that you are unable to completely comply with the regulations, they do enforce the intent of the law. Your product must be wholesome and uncontaminated. OSDA makes spot checks.

Weights and Measures Section: phone 378-3792
1. You can purchase new or used scales that OSDA’s Weights and Measures Section will approve from a reputable scale company. You won’t find these at your local hardware store. Several companies in Portland have approvable scales. Be sure to determine that a scale is approvable before you buy it.
2. Obtain an application for approval from the Weights and Measures Section. Once you have filled out the application and sent it in with the fee ($7/yr for a 0 to 400-lb scale), you may use the scale. A license will be sent to you.

Oregon Department of Motor Vehicles
Your local office
1. If you transport your catch to another location, no licence is required if your gross vehicle weight (loaded) is under 8,000 lb.
2. If it’s over 8,000 lb, obtain a licence and plate from your local ODMV office ($10). Submit a trip report every month. If you plan only one trip, obtain a trip permit ($4). For either permit, you’ll also pay an additional combined weight/mileage fee. This averages about 14¢/mile.

County
Courthouse
1. Check the local county planning department regulations on zoning requirements for selling from a vehicle or stand on public right-of-way in the county. Also, obtain permission from the body with jurisdiction (such as the State Highway Division, county road office).
2. If you are going to sell on private property, check with the owner for permission and with the county for zoning regulations.

City
City Hall
1. If you want to sell from a vehicle or stand on city property, obtain a business license (quite variable in price). Some cities require an additional vendor’s license.
2. If you want to sell from a vehicle or stand on private property, obtain permission from the property owner, buy a city business license, and make sure the property conforms with local zoning requirements.

Other
Additional requirements for individual species
1. Crab: Obtain poundage fee forms from the Oregon Dungeness Crab Commission, 635 Capitol NE, Salem, OR 97310, phone 378-3787. Currently, fees are 5¢ per pound.
2. Bottomfish, shrimp, scallops: Obtain first purchaser’s report forms from the Oregon Trawl Commission, 250 36th St., Astoria, OR 97103, phone 325-3384. Fees are based on total gross value of your catch (currently .5%).

You may decide that there is a distinct advantage in selling your catch to a processing plant that is licensed as a wholesale dealer because it leaves you time to fish.

For further information
Obviously, Oregon farmers don’t face the same lineup of agencies that Oregon fishermen do when they move into direct marketing. However, these publications can help with questions like consumer attitudes and expectations, setting up and managing a direct-marketing operation, promotion, and other matters.


Part 4, Place of Business and Product Quality (PNW 204). Single copies 25¢ plus 25¢ postage.
Part 5, Personnel Management (PNW 205). Single copies no charge; enclose 25¢ for postage.

Conrad, Jon M., Marketing the Fish You Catch, New York Sea Grant Extension Program Fact Sheet (Ithaca, 1982). Order from Sea Grant Advisory Services, Fernow Hall, Cornell University, Ithaca 14853.


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