

North Carolina Seafood Permits Guidance

The information on this page is intended for educational purposes only and is subject to change. Individuals should contact the agencies directly to determine what is required for their particular situation.

North Carolina State and Local Regulations, Permits and More for Seafood Alternative Markets

Individuals considering selling seafood directly from a boat, a roadside stand/market, or other alternative market, will need to follow regulations and guidelines and obtain specific licenses, registrations, permits, and certificates from several state and local agencies in addition to the licenses and permits required to fish commercially. Here we provide selected general information, by agency, which highlights some of these requirements and associated fees.

Individuals should contact the agencies below to determine current requirements and fees and to ensure they are in compliance. When doing so, individuals will need to describe the seafood products they will be selling — species, product form (e.g., whole fish, filets, or smoked seafood) — and the type of alternative market(s) they will use.

North Carolina Division of Marine Fisheries (NCDMF)

The Dealer's License is an annual authorization available only to North Carolina residents with a physical address or an established location in North Carolina. Dealers are required to buy seafood only from licensed commercial fishermen. This license is required for anyone who buys seafood directly from a fisherman and is also required for fishermen who wish to sell their catch to the public. Anyone who wishes to bypass fishermen and resell fish and shellfish to the public must purchase from a licensed dealer. Individuals should contact the licenses department at NCDMF for the most current information on buying and selling seafood.

Contact: [Licenses Department](#)

Telephone: 252-808-8038 or 800-682-2632

Annual Fee: \$100 for a *new* dealer plus additional fees to sell crab, finfish, shellfish and shrimp.

The Shellfish Sanitation and Recreational Water Quality Section of NCDMF inspects and permits shellfish processors statewide. Shellfish are defined as raw, bivalve molluscan shellfish (arcs, clams, mussels, oysters, and whole “roe-on” scallops). Anyone who purchases shellfish from a harvester, shucks shellfish, repacks or re-labels shellfish must be permitted by the Shellfish Sanitation Inspection Program. Persons who purchase shellfish in the original containers or bags and sell to other consumers or dealers in another state may also be required to be permitted. All raw or frozen shellfish products offered for sale must be properly tagged or labeled by a certified dealer.

The Inspection Program also certifies facilities that cook, pick, pack, thermally process or repack cooked Crustacea (e.g., crabs, shrimp, lobster or crayfish). All shellfish and Crustacea processors must comply with the U.S. Food and Drug Administration's [Hazard Analysis and Critical Control](#)

[Point](#) or HACCP regulation. Individuals should contact Shellfish Sanitation for the most current information on processing, buying or selling shellfish and Crustacea.

Contact: [Environmental Health Specialists](#)

Departments of Public Health

Both state and local public health agencies regulate and assist with seafood safety, ensuring that seafood is handled and distributed in a safe and sanitary manner. Individuals should check the information sources provided below and contact both the North Carolina Division of Public Health and the local (county and/or city) environmental health department directly for up-to-date information and to determine the requirements that apply to their specific situation.

North Carolina Division of Public Health – Food Protection Program

Contact: Environmental health or food-safety specialist

Phone: 919-707-5854

Website: <http://ehs.ncpublichealth.com/faf/food/index.htm>

The mission of the Food Protection Program of the North Carolina Division of Public Health is to reduce the risk of food-borne illness and other communicable diseases. It protects public health through the development of standards, review of plans and monitoring of enforcement activities for food handling and lodging establishments.

County-based health departments oversee the sales of food products (processed and unprocessed) directly to the public through retail food facilities, including but not limited to restaurants, retail markets, and fishermen's or farmers' markets.

For more information, please contact the Department of Health in the county in which you will be operating your business. Go to the [North Carolina Health and Human Services — Environmental Health Section](#) and click on “Environmental Health Staff by County,” located in the “Quick Links” section of the left sidebar. Then, click on the county in which you will be selling your seafood to access the name of the environmental health specialist you should contact.

Temporary Food Establishment Permit

A temporary food establishment permit may be required if selling made-to-order, ready-to-eat seafood at an open-air fishermen's or farmers' market or at festival events. Permits may be required for each vendor and/or the organizer. For more information, contact the health department in the county in which you plan to do business.

Food Establishment Permit

A food establishment permit may be needed if seafood is sold from a mobile food unit (e.g., food truck) or a fixed (permanent) facility (e.g., restaurant). This permit also may be required when storing seafood before it is distributed (e.g., community supported fisheries sales outlets or seafood buying clubs). For more information, contact the health department in the county in which you plan to do business. Public health is responsible for regulating any food that is prepared to order.

North Carolina Department of Agriculture & Consumer Services

The **Measurement Section** inspects weighing and measuring devices for accuracy and performs inspections of packaged goods to ensure they contain the stated net contents.

Contact: [Measurement Section](#)

Select Details:

- Seafood must be sold by weight, not by piece.
- Product that is weighed and packaged without the customer present should be labeled with the weight sold. Additional information also may be needed on the label per the [Fair Packaging and Labeling Act](#).

The **Food & Drug Protection Division** oversees the safe, legal handling and distribution of seafood in North Carolina. The following information pertains to individuals selling seafood directly to wholesale customers such as restaurants or to school, hospital or private-business cafeterias.

Contact: [Food Compliance](#)

Select Details:

- **Individuals who process* seafood and sell to businesses that *resell* the product** (e.g., restaurants or institutional foodservice operations such as school or hospital cafeterias) are subject to North Carolina Department of Agriculture & Consumer Services inspections, which are free of charge. Depending on the seafood and how it will be handled and distributed, individuals may be required to obtain their Hazard Analysis & Critical Control Point (HACCP) certification through FDA-approved training courses. For more information on certification, go to [Market Your Catch](#).

*The FDA defines **processing** as handling, storing, preparing, heading, eviscerating, shucking, freezing, changing into different market forms, manufacturing, preserving, packing, labeling, dockside loading or holding fish and fishery products. **Excludes**

heading, eviscerating, or freezing solely to prepare fish for holding on board a commercial fishing vessel.

- **Individuals selling seafood that can be eaten without any further cooking by the consumer** (e.g., smoked, cooked crabmeat, dips or spreads) will be subject to the Hazard Analysis & Critical Control Point regulation.

Individuals who wish to manufacture their own ready-to-cook (e.g., crab cakes) or ready-to-eat (e.g., smoked) seafood for retail or wholesale markets must do so in facilities licensed to produce further-processed foods. *These items cannot be prepared in a home kitchen.* The N.C. Department of Agriculture and Consumer Services Marketing Division maintains [a list of share-use and business incubator kitchens](#).

North Carolina Sea Grant

Assistance is available to individuals who wish to develop, manufacture and market ready-to-cook and ready-to-eat seafood. Safety guidance is also offered.

Contact: Seafood Technology & Marketing Specialist

Phone: 252-222-6337

Information: <https://ncseagrant.ncsu.edu/seafood/producer-resources/>

Local Authorities

Depending on the type of market and where it is located, additional permits and fees may be required by local authorities. Below are a few examples of such requirements. Individuals should contact local authorities directly for up-to-date information and to determine the requirements that apply to their specific situation.

Harbor/Marina

Local harbors/marinas may have their own requirements for selling seafood off the boat or at a dockside (or fishermen's) market. In some cases, only certain products or types of markets are allowed.

City

City government may require a business license, vendor's license, or both if selling from a vehicle or stand within city limits. Also, selling from private property requires proof of permission from the property owner, having an appropriate business license, and meeting local zoning requirements.

County

County planning departments may require meeting zoning regulations and providing proof of permission from appropriate agencies (e.g., state highway division, county road office) when

selling from a vehicle or stand on a public right-of-way where others can transit or from property owners if selling from private property.

Purchasing Local Seafood

Seafood suppliers along the North Carolina coast can be sourced from the following local-seafood educational organizations:

Northern coastal region

[Outer Banks Catch](#) – click on *Program Partners*

[Ocracoke Fresh](#)

Central coastal region

[Carteret Catch](#) – click *Wholesale/Retail Dealers*

Southern coastal region

[Brunswick Catch](#) – click on *Members*

For more **information on retailing seafood**, contact:

- Jeff French, Shellfish Sanitation & Recreational Water Quality Section, North Carolina Division of Marine Fisheries, at jeff.french@ncdenr.gov, *or*
- Barry Nash, North Carolina Sea Grant, barry_nash@ncsu.edu