

§6861-A. Permitted and prohibited activities for crayfish dealers

1. Meat. Crayfish meat is subject to the following prohibitions.

A. A person may not possess crayfish meat removed from the shell except as follows:

- (1) For immediate personal consumption;
- (2) For the purpose of serving the meat immediately to a customer;
- (3) Under refrigeration and in its original container, clearly labeled as crayfish, with the country or state of origin clearly disclosed; or
- (4) Mixed with other food if receipts are available to prove the product is crayfish. [PL 2003, c. 452, Pt. F, §32 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. It is prima facie evidence that lobster or crayfish meat is illegal lobster meat if the crayfish or lobster meat is outside the shell; is not in its original container and clearly labeled as crayfish, with the country or state of origin clearly disclosed; and:

- (2) Is unmixed with any other food and there are no receipts available to prove the product is crayfish. [PL 2009, c. 523, §14 (AMD).]

[PL 2009, c. 523, §14 (AMD).]

2. Mix or commingle. A person may not:

A. Mix or commingle crayfish in any form with lobster; [PL 2003, c. 452, Pt. F, §33 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Cause or allow crayfish to be mixed or commingled with lobster; or [PL 2003, c. 452, Pt. F, §33 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Possess a mixture of crayfish and lobster. [PL 2003, c. 452, Pt. F, §33 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. F, §33 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. List. It shall be unlawful to list, label, advertise, sell, offer for sale or represent, for the purpose of sale, crayfish as lobster or imitation lobster, unless the country or state of origin is clearly disclosed or the listing, labeling or advertising is designed to clearly and affirmatively reflect the product being offered for sale.

[PL 1989, c. 348, §13 (NEW).]

4. Records. Any person, licensed under section 6851 or 6852 who deals in crayfish, shall make records available to a marine patrol officer on demand.

[PL 1989, c. 348, §13 (NEW).]

5. Rules. The commissioner shall adopt or amend any rules necessary to supervise and control licensees dealing in crayfish and to protect the interests of the State in the conduct, management and operation of the business of dealing in crayfish to assure compliance with this section.

[PL 1989, c. 348, §13 (NEW).]

6. Penalties. The following penalties apply to violations of this section.

A. Violation of subsection 1, paragraph A is subject to the general penalty provisions of section 6201. [PL 2003, c. 452, Pt. F, §34 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Violation of subsection 1, paragraph B is subject to the penalty provisions of section 6431, subsection 7. [PL 2003, c. 452, Pt. F, §34 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Except as provided in paragraphs A and B, violation of this section is a civil violation for which a fine of not less than \$100 nor more than \$1,000 may be adjudged. [RR 2013, c. 2, §18 (COR).]
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7. License exception for bait purposes. A license shall not be required for crayfish kept or sold for bait purposes and marked or labeled "Not for Human Consumption."

[PL 1989, c. 348, §13 (NEW).]

SECTION HISTORY

PL 1989, c. 348, §13 (NEW). PL 2003, c. 452, §§F32-34 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2009, c. 523, §14 (AMD). PL 2013, c. 468, §35 (AMD). RR 2013, c. 2, §18 (COR).

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