

SENATE No. 2422

The Commonwealth of Massachusetts

—
In the Year Two Thousand Fourteen
—

SENATE, Wednesday, December 31, 2014

The committee on Ways and Means, to whom was referred the Senate Bill establishing a Massachusetts seafood marketing program (Senate, No. 1979),- reports, recommending that the same ought to pass with an amendment substituting a new draft entitled “An Act regulating the processing of lobsters” (Senate, No. 2422).

For the committee,
Stephen M. Brewer

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An Act regulating the processing of lobsters.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 44 of chapter 130 of the General Laws is hereby amended by striking out the
2 third paragraph, as appearing in section 107 of chapter 38 of the acts of 2013, and inserting in
3 place thereof the following paragraph:-

4 If the measurement of any such lobster taken from 1 or the other eye sockets is of the
5 required length, such lobster shall be deemed to be a legal lobster. In all prosecutions under this
6 section, any mutilation of any lobster which affects its measurement as aforesaid shall be prima
7 facie evidence that the lobster was or is shorter than the required length; provided, however, that
8 the director shall, by regulation approved by the marine fisheries advisory commission, allow the
9 on-shore processing in the commonwealth of live lobsters of legal length into frozen shell-on
10 lobster parts or tails and the importation of unfrozen shell-on lobster parts or tails for the purpose
11 of further processing by wholesale dealers that are licensed by the department of public health
12 under section 77G of chapter 94. Processed frozen shell-on lobster parts or tails may be
13 possessed, sold or offered for sale in the commonwealth by any wholesale dealer, retail dealer or
14 food establishments and such food product may be possessed by a consumer. The processing,

15 possession or sale of frozen or unfrozen lobster tails pursuant to this section shall be limited to
16 lobster tails weighing 3 ounces or more. The packaging of processed frozen or unfrozen shell-on
17 lobster parts or tails pursuant to this section as a food product shall be labeled in accordance with
18 applicable federal and state laws and regulations. This section shall not apply to common carriers
19 having lobster in possession for the purpose of transportation.