

**HOUSE . . . . . No. 2429**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Bruce J. Ayers*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the commercial and retail sale of Escolar in the commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>1/20/2017</i>

**HOUSE . . . . . No. 2429**

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By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 2429) of Bruce J. Ayers for legislation to prohibit the sale or distribution of the species of fish know as escolar in the Commonwealth. Public Health.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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An Act relative to the commercial and retail sale of Escolar in the commonwealth.

*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 1. For the intents and purposes of this legislation, “Escolar” shall be defined as  
2 a species of fish often sold for consumption in commercial and retail stores, fish markets, or  
3 similar entities.

4           SECTION 2. A person or entity engaged in the business of selling or otherwise  
5 distributing fish for commercial or retail purposes may not sell or otherwise distribute Escolar in  
6 the commonwealth.

7           SECTION 3. A violator of this provision may receive a fine of one hundred and fifty  
8 dollars (\$150.00) for a first violation; in the case of a second violation within 24 months of the  
9 first violation a fine of three hundred dollars (\$300.00); and in the case of three or more  
10 violations within 24 months of the second or current violation, a fine of four hundred and fifty  
11 dollars (\$450.00) for each violation and potential loss of commercial or retail license, under the

12 purview of the local Board of Health or the Department of Public Health. Each calendar day an  
13 entity operates in violation of any provision of this law shall be deemed a separate violation.

14 SECTION 4. Violators who are found knowingly mislabeling Escolar as any other type  
15 of fish consumed by the general public shall be subject to immediate loss of licensure for a  
16 period of no longer than 24 months and a fine of no more than one thousand dollars (\$1,000).

17 SECTION 5. The local Board of Health, the Department of Public Health, the  
18 Department of Fish & Game, the local inspection department or the equivalent, and a municipal  
19 government or its agent shall enforce this section immediately upon being enacted by the  
20 Governor of the commonwealth.