

HOUSE No. 4422

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 8, 2025.

The committee on Agriculture and Fisheries, to whom was referred the petition (accompanied by bill, House, No. 127) of Christopher Hendricks for legislation to establish penalties for the aquaculture of any species of octopus for the purpose of human consumption, reports recommending that the accompanying bill (House, No. 4422) ought to pass.

For the committee,

NATALIE M. BLAIS.

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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act prohibiting the aquaculture of any species of octopus for the purpose of human consumption.

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

1 Chapter 130 of the General Laws is hereby amended by inserting after section 106 the
2 following section:-

3 Section 107. (a) For the purposes of this section, the following words shall, unless the
4 context clearly requires otherwise, have the following meanings:-

5 “Aquaculture”, waters used primarily and directly in the commercial cultivation of
6 aquatic organisms including finfish, mollusk or crustacean in a controlled environment.

7 “Octopus”, a cephalopod mollusk with a soft body and 8 limbs belonging to the order
8 Octopoda and does not include wild-caught octopuses or octopuses propagated, cultivated,
9 maintained, reared or harvested only for research purposes unrelated to commercial production.

10 “Wild-caught” or “wild-captured” any species of octopus harvested from its natural
11 marine environment.

12 (b) No person shall engage in the aquaculture of any species of octopus for the purpose of
13 human consumption.

14 (c) No business entity shall sell, possess or transport any species of octopus that is the
15 result or product of aquaculture.

16 (d) Whoever violates any provision of this section or any rule or regulation adopted
17 pursuant thereto, shall be subject, upon an order of a court, to a civil penalty not to exceed
18 \$1,000 per day of the violation, and each day during which the violation continues shall
19 constitute an additional, separate and distinct offense. Any civil penalty imposed pursuant to this
20 section may be collected with costs in a summary proceeding pursuant to chapter 30A or may be
21 collected in a civil action commenced by the commissioner. In addition to any penalties, costs or
22 interest charges, the superior court may assess against the violator the amount of economic
23 benefit accruing to the violator from the violation.

24 (e) Nothing in this section shall prevent any: (i) person from engaging in the wild-capture
25 of any species of octopus for the purpose of human consumption; and (ii) business entity from
26 selling, possessing or transporting any species of octopus that is the result or product of being
27 wild-caught.

28 (f) The division may adopt rules and regulations as may be necessary to implement the
29 provisions of this section.

30 (g) Any species of octopus that are wild caught and land in the commonwealth shall be
31 regulated under 322 CMR due to octopus being shipped and marketed throughout the country,
32 regulations governing their transport, handling and sale are necessary to differentiate between
33 aquaculture raised octopus product from wild caught octopus.