HOUSE DOCKET, NO. 1378 FILED ON: 1/16/2013

HOUSE . . . . . No. 774

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

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 passage of the accompanying:

An Act relative to lobster processing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sarah K. Peake	*4th Barnstable*
Ann-Margaret Ferrante	*5th Essex*
Anne M. Gobi	*5th Worcester*
Peter V. Kocot	*1st Hampshire*
Cleon H. Turner	*1st Barnstable*
Randy Hunt	*5th Barnstable*
Paul A. Schmid, III	*8th Bristol*
Denise Andrews	*2nd Franklin*
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
Colleen M. Garry	*36th Middlesex*
Denise Provost	*27th Middlesex*
Brian A. Joyce	*Norfolk, Bristol and Plymouth*
James M. Cantwell	*4th Plymouth*
Bruce E. Tarr	*First Essex and Middlesex*
Kay Khan	*11th Middlesex*
Brian R. Mannal	*2nd Barnstable*

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By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 774) of Sarah K. Peake and others for legislation to further define the illegal processing of lobsters at sea. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to lobster processing.

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

SECTION 1. Section 44 of Chapter 130 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

If the measurement of any such lobster taken from one or the other eye sockets is of the required length, such lobster shall be deemed to be a legal lobster. The bringing ashore any mutilated lobster in a manner that affects its measurement as aforesaid shall be prima facie evidence in all prosecutions that the lobster was or is less than the required length; provided, the director, with the approval of the marine fisheries advisory commission, shall promulgate rules and regulations to allow the on-shore processing of live lobsters of legal length into a food product of frozen lobster parts and the director shall further promulgate rules and regulations to allow the possession and sale of such processed food product by wholesale dealers; provided further, the processing of lobsters into parts at sea shall be prohibited and shall be subject to the penalties provided in the first paragraph; provided further, that said processing shall be conducted only by wholesale dealers that are licensed by the department of public health under section 77G of chapter 94; provided further, the packaging of processed frozen lobster parts as a food product shall bear a label in accordance with applicable federal and state laws and regulations; provided further, frozen lobster parts that have been processed as a food product may be possessed, sold or offered for sale by any wholesale dealer, and any retail dealer including without limitation, restaurants and retail food establishments; and such food product may be possessed by a consumer. This section shall not apply to common carriers possessing lobster or lobster food products, for the purpose of transportation.