

# **Rhode Island Seafood Marketing Collaborative**

## **Report to the R.I. General Assembly**



**October 2013**

**Second Annual Report**

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## Executive Summary

This is the Rhode Island Seafood Marketing Collaborative's second annual report, which covers from May 2012 through April 2013. The report includes a brief review of the Collaborative and its Advisory Council and highlights key activities undertaken by the Collaborative, most notably: the development of a Rhode Island seafood logo and branding program and the continued development of the SeafoodRI.org website.

The funding and administrative support necessary to maintain the Collaborative's work remain as significant challenges. Early in 2013, *Farm Fresh RI* began providing administrative support to the Collaborative, replacing the Rhode Island Rural Development Council (RIRDC); however, the private grant funds used to support the Collaborative during 2012-2013 have been expended, and no new source of funding has been identified.

Despite the challenges, the Collaborative remains energized and enthusiastic about its role in fostering interest in and demand for local seafood products. The Collaborative members feel that local seafood marketing promotes jobs and stimulates economic activity in the State. Successful marketing will boost the economic value of the Rhode Island seafood industry while simultaneously serving the interests of consumers who want seafood that is local and fresh.

For the year ahead, the Collaborative will be riding herd on its new seafood logo and branding program, further developing on the SeafoodRI.org website, and carrying forward the activities in this report. The Collaborative will also revisit the recommendations set forth in its first Annual Report, and work to make progress on the highest priorities.

## Rhode Island Seafood Marketing Collaborative & Advisory Council

The Rhode Island Seafood Marketing Collaborative (Collaborative) was established by statute in 2011 in response to an observation that “there are currently insufficient resources and information necessary to support Rhode Island’s local fishermen and small businesses and ensure the best possible economic and environmental outcomes for the creation of more locally produced sustainable food systems, that in particular includes seafood, in the State of Rhode Island” (R.I. Gen. Laws § 20-38-1).

As set forth in the statute, the powers and duties of the Collaborative are to:

1. Identify regulatory restrictions preventing and/or inhibiting local seafood marketing initiatives and identify opportunities to remove those regulatory restrictions;
2. Identify and facilitate opportunities to increase consumer demand for local seafood;
3. Identify and facilitate opportunities to establish agreements with local fishermen and seafood dealers for potential seafood marketplace expansion;
4. Review and identify existing studies, pilot programs and initiatives of this state and other states regarding seafood-marketing practices;
5. Provide educational opportunities for consumers and the fishing community;
6. Identify funding sources available to the fishing community to support seafood marketing;
7. Respond to requests for information from the legislature and comment on proposed legislation;
8. Issue recommendations necessary to achieve these goals; and
9. Identify opportunities for potential funding to support Rhode Island seafood marketing efforts and initiatives.

The nine-member Collaborative consists of representatives from five state agencies – the Departments of Environmental Management, Health, and Administration, Coastal Resources Management Council, and Economic Development Corporation – as well as the University of Rhode Island. Its ten-member Advisory Council consists of representatives from the following sectors: fish wholesale or processing, lobster and crab wholesale or processing, shellfish wholesale or processing, aquaculture wholesale or processing, seafood retail, the restaurant industry, shellfish harvest, fisheries management, marine science, and the hospitality industry. A full members list is set forth in **Table 1**.

**Table 1. Members of the Rhode Island Seafood Marketing Collaborative and Advisory Council**

| R.I. Seafood Marketing Collaborative   | Advisory Council  |
|--|---|
| <ul style="list-style-type: none"> <li>▪ Janet Coit, Director, Department of Environmental Management</li> <li>▪ Robert Ballou, Assistant to the Director, Department of Environmental Management</li> <li>▪ Ken Ayars, Chief of Agriculture, Department of Environmental Management</li> <li>▪ Ernest Julian, Chief of Food Protection, Department of Health</li> <li>▪ Dave Beutel, Aquaculture Coordinator, Coastal Resources Management Council</li> <li>▪ Allison Rogers, Policy Director, Department of Administration</li> <li>▪ Mike Walker, Senior Project Manager, Economic Development Corporation</li> <li>▪ Dr. John Kirby, Dean of the College of Environment and Life Sciences, University of Rhode Island</li> <li>▪ Vacant (formerly Barry Costa Pierce, Director, Rhode Island Sea Grant)</li> </ul> | <ul style="list-style-type: none"> <li>▪ Ryan Clark, Vice President, The Town Dock</li> <li>▪ Ann Cook, Co-founder, The Local Catch, Inc.</li> <li>▪ Bill Silkes, President, American Mussel Harvesters, Inc.</li> <li>▪ Derek Wagner, Chef &amp; Owner, Nick’s on Broadway</li> <li>▪ John Delgado, Seafood Buyer/Supervisor, Dave’s Market Place</li> <li>▪ Mike McGiveney, President, Rhode Island Shellfishermen’s Association</li> <li>▪ David Preble, Member, New England Fisheries Management Council</li> <li>▪ Hirotsugu Uchida, Assistant Professor, URI Department of Environmental and Natural Resource Economics</li> <li>▪ Kathryn Farrington, Vice President of Marketing, Newport Chambers &amp; Visitor’s Bureau</li> <li>▪ Perry Raso, Former President, Ocean State Aquaculture Association and the Matunuck Oyster Bar</li> </ul> |

**Rhode Island Seafood Marketing Collaborative/Advisory Council Activities**

**Meeting Summary**

The Rhode Island Seafood Marketing Collaborative has met seven times since its inception in 2011 (**Table 2**). From the start, the Collaborative and its Advisory Council agreed to meet jointly; therefore, all meetings have involved both the Collaborative and Advisory Council members, as well as interested parties. Meetings were held at DEM’s Headquarters in Providence. Meeting minutes from the period covered by this report (October 2012 to March 2013) can be found in **Appendix I**.

**Table 2. Joint Rhode Island Seafood Marketing Collaborative & Advisory Council Meetings**

| 2011                     | 2012  | 2013     |
|--------------------------|---|----------|
| October 14<br>December 8 | February 2<br>April 5<br>October 18<br>December 4 | March 29 |

**Programmatic Support**

In 2012, RIRDC received funding from USDA Rural Development (Rural Business Enterprise Grant) and the van Beuren Charitable Foundation to support the Collaborative and provide communications and marketing expertise. The USDA grant ended in 2012, and the van Beuren Charitable Foundation grant expired on June 30, 2013. In December 2102, the remaining grant funds were transferred to Farm Fresh RI, the current entity administering the grant.

**Logo and Branding Campaign**

Since its inception, one of the top priorities of the Collaborative was to develop and adopt a “Rhode Island Seafood” brand to distinguish Rhode Island seafood in the marketplace. In 2012, the RIRDC commissioned Paul Fleming & Co., a Newport-based web design and marketing firm, to design a logo for the Rhode Island Seafood branding campaign. The proposed logo went through several iterations, with strong input from the Collaborative, Advisory Council, and interested parties. In 2013, the final logo design was approved by the Collaborative and trademarked by Farm Fresh RI; DEM holds the copyright. The logo is (*featured on the cover page of this report and shown below*) was rolled out on April 25 at Agriculture Day at the state House.



Much of the Collaborative’s discussion during the last year focused on defining the meaning of the phrase “Rhode Island Seafood”. Discussion revolved around whether “Rhode Island Seafood” should refer strictly to seafood grown and landed in Rhode Island, or whether it should also include seafood caught by Rhode Island home-ported boats but landed in other states, or even seafood produced elsewhere but processed in a Rhode Island facility. Although there were differences in opinions, the Collaborative ultimately decided that a simple, clear, and enforceable

definition was best. Thus, “Rhode Island Seafood” was defined as “seafood products that are grown in and harvested from Rhode Island waters by commercial aquaculturists, and seafood products that are landed in Rhode Island by commercial fishermen.”

DEM coordinated with its legal office and drafted an initial set of draft regulations that codify the definition and address the use of the logo. Those draft rules were reviewed by the Collaborative and Advisory Council and modified in accordance with their comments. The regulations were processed through a formal regulatory review beginning with a public hearing held on August 26, 2013 and will be adopted this fall. Following enactment of the regulations, DEM, in coordination with the Collaborative, will formally launch the Rhode Island Seafood branding program. The draft regulations can be found in [Appendix II](#).

Several aspects and provisions of the draft regulations are worth highlighting. First, much of the language in the draft regulations is derived from established regulations pertaining to agricultural marketing. Second, as proposed, the only entities authorized to apply for the brand will be Rhode Island-licensed seafood dealers. Other entities (e.g., retail markets and restaurants) following along the chain of custody will be authorized to reapply the brand, but only in accordance with its initial application by authorized seafood dealers. This is because only dealers are authorized to purchase seafood from commercial fishermen and aquaculturists, and thus they serve as the most appropriate point of control to ensure the logo is applied properly. Third, much attention was paid to how to address misuse of the brand – i.e., applying the label to seafood that should not be categorized as Rhode Island seafood. The Collaborative and Council expressed a strong interest in maintaining the integrity of the brand, for the benefit of both seafood marketers and seafood consumers. They also expressed a strong interest in making the program user-friendly. Issues regarding the appropriateness of the penalty provision were sensitive and two options were put forth.

Lastly, in light of recent national reports revealing a very high rate of seafood mislabeling throughout the country, the draft regulations stipulate that “No person shall offer for barter, trade, or sale a seafood product that is represented to be a species other than the actual species of said seafood product.” This provision will apply to all entities engaged in selling seafood, whether or not they are authorized to use the Rhode Island Seafood brand. As proposed, violation of this provision would be subject to a penalty.

A draft information packet about the branding campaign is presented in [Appendix III. Draft Rhode Island Seafood Brand Dissemination Materials for Wholesalers, Retail, and Restaurants](#) This packet will be distributed to all business types (seafood dealers, distributors, and restaurants, and retail establishments) who wish to apply or reapply the Rhode Island Seafood brand to seafood products. The packet includes a summary of suggested marketing applications of the brand, instructions on how to use the logo and a form that businesses may complete is listed on the Marketplace section of the [www.seafoodRI.org](http://www.seafoodRI.org) website.

### **Ocean State Seafood Harvest Calendar Poster**

In late 2012, Farm Fresh RI commissioned graphic artist Gordon Fitch to design a color poster illustrating the most popular seasonally available seafood species grown and landed in Rhode



Island. The poster is based on information derived from the Rhode Island Seafood Seasonal Availability chart assembled in 2012 by DEM for the [www.seafoodRI.org](http://www.seafoodRI.org) website. The new poster, which is bright and dynamic, is intended to draw people in to learn more about the seasonal patterns of Rhode Island seafood. Farm Fresh will print 1000 posters for distribution to supermarkets, restaurants, libraries, classrooms, and other interested entities. The poster design is replicated below.



## Website and Communications

Farm Fresh RI has continued where RIRDC left off in building a Rhode Island seafood promotional website at [www.seafoodri.org](http://www.seafoodri.org). The website contains information for Rhode Island consumers about seafood species landed in Rhode Island, harvest seasons, and where to find local seafood. It includes a list of all species landed in Rhode Island, with seasonal availability information for the top species, in two downloadable forms: a spreadsheet and a colorful poster. It also includes basic information on the Rhode Island Seafood Marketing Collaborative, links to recent press relating to Rhode Island seafood, and a list of upcoming events that celebrate Rhode Island seafood.

The website also features a new “Find Rhode Island Seafood” section where consumers can use an interactive Google Maps feature to locate restaurants, retailers, community-supported fisheries (CSFs), and farmers markets where seafood is available. This section will help connect consumers to Rhode Island seafood. It currently contains links to all businesses who self-report selling Rhode Island seafood. In the future, it will be coupled with the Rhode Island Seafood brand, so that businesses using the brand to identify, promote, and make available Rhode Island seafood products will be highlighted in the interactive online map.

The website also includes a step-by-step description of the Rhode Island seafood industry, beginning with “from the ocean,” continuing “to the waterfront,” and finally, “to your table.” Each of these sections details the activities involved at each step of the process of bringing seafood from ocean to plate. These sections contain informational videos, cooking demos, and a map of businesses participating in each step of the process (i.e., commercial fishing boats and aquafarms for “from the ocean,” wholesale processors and distributors for “to the waterfront,” and a link to the “Find Rhode Island Seafood” for “to your table.”)



During the spring of 2013, Rhode Island Economic Development Corporation's Katrina White, Travel Trade Manager and active participant in the Collaborative and Advisory Council meetings, worked with a group of interns from Johnson and Wales University to contact Providence area restaurants to assess sales of local seafood. Based on the information collected, the group added 65 restaurant listings to the "Find Rhode Island Seafood" section of the website.

In addition to the website, the Rhode Island Seafood Marketing Collaborative now has a Facebook page: <https://www.facebook.com/SeafoodRI>. This page will be used to post current news relevant to the local seafood industry, upcoming events, photos, and other items that promote Rhode Island seafood.

### **Rhode Island Seafood Industry Promotional Video**

Also in the spring of 2013, Farm Fresh RI contracted with Adam O'Brien of Menacing Cod Productions, a Providence-based film media company, to produce a short video featuring voices and faces from the Rhode Island fishing and seafood industries. The video paints a brief but engaging portrait of the Rhode Islanders who make the local seafood industry vibrant. This video will be posted at [www.seafoodRI.org](http://www.seafoodRI.org) and on YouTube. Various entities, including the Economic Development Corporation, have expressed interest to link it from their websites.

### **Activities with the Martin Luther King Jr. Community Center**

In August 2012, the RIRDC partnered with the Martin Luther King Jr. Community Center in order to provide a series of educational outings for school-age children. The activities took place at the Allen Harbor in North Kingstown over a two-day period. Activities included a shellfish show-and-tell, an interview with a commercial quahogger, a tour of the American Mussel Harvesters processing facility, and a shore-digging quahogging adventure.

### **Funding**

The Rhode Island Local Agriculture and Seafood Act, signed into law by Governor Chafee in 2012, allows the DEM's Division of Agriculture to obtain private funding to set up a grant program for new farmers and organizations that support the growth, development, and marketing of our agricultural and commercial fishing sectors. It also allows DEM Division of Agriculture to work with the Departments of Administration and Health to establish an Inter-Agency Food Council to provide the framework to engage meaningful new initiatives around food safety, marketing, nutrition, purchasing, and generally to think critically about how the agencies can better align efforts to encourage safe production, distribution, and processing of local foods for both local and national markets. This new statute complements the mission of the Rhode Island Seafood Marketing Collaborative and can help carry forward many of the Collaborative's recommendations.

The Seafood Marketing Collaborative has received grant funding from both USDA Rural Development and the van Beuren Charitable Foundation with grant administration by DEM, the RIRDC and Farm Fresh RI. Those grants were fully utilized and ended as in July 2013.

However, in the FY14 Budget, Governor Chafee proposed, and the Rhode Island General Assembly approved, a \$100,000 appropriation to DEM to fund Local Agriculture and Seafood Small Grants and Technical Assistance Program. This new program now has an initial funding stream for a competitive grant process that DEM will administer during the spring of 2014. This grant program is intended to provide technical assistance and investment in local food infrastructure necessary to grow the local food economy, which can include funding of seafood marketing initiatives and possibly administrative support for the Seafood Marketing Collaborative. Several foundations have indicated an interest in matching state funds generated for this grants program.

### Next Steps

For the 2013-2014 year, a major focus of the Rhode Island Seafood Marketing Collaborative will be to formally launch the Rhode Island Seafood branding program. After the regulations that establish the program are finalized, it will be necessary to inform relevant stakeholders (seafood dealers, restaurants, retail establishments) of appropriate uses and expected benefits of using the new logo. In addition, working through Farm Fresh RI, the Collaborative will be pursuing the following promotional tools and activities for local seafood:

- Update the SeafoodRI.org website
- Promote the Rhode Island Seafood branding logo to chefs
- Produce placemats with the same design as the seasonality poster
- Produce bibs with Rhode Island Seafood logo
- Partner with the Northwest Atlantic Marine Alliance to host “Seafood Throwdown” events at farmers’ markets
- Use existing video footage for additional videos
- Place point of sale placards in grocery stores, fish markets, farmers market tables

The Collaborative and its Advisory Council will also evaluate recommendations set forth in the first Annual Report. The groups will confront the challenge of identifying priority actions that can be successfully accomplished without an infusion of new resources. There remains great excitement about the opportunities ahead.

## Appendix I. Meeting of the Rhode Island Seafood Collaborative & Advisory Council Meetings, October 2012-April 2013

### October 18, 2012 Meeting Minutes

On Thursday October 18, 2012, the Rhode Island Seafood Marketing Collaborative was called to order by Director Janet Coit for its fifth formal meeting (first meeting of 2<sup>nd</sup> year) at approximately 2:07 p.m. at the Rhode Island Department of Environmental Management, 235 Promenade Street, Room 300, Providence, Rhode Island.

**In attendance were: (see attendance list) 26 attendees.**

#### **Collaborative Members**

Janet Coit, Director of DEM  
Mike Walker, Senior Project Manager, EDC  
Robert Ballou, Acting Chief of Fish & Wildlife, DEM  
Ernest Julian, DOH  
John Mullen, DOH

#### **Advisory Council Members**

Ann Cook, Co-founder, The Local Catch, Inc.  
Bill Silkes, President, American Mussel Harvesters  
Hirotsugu Uchida, Assistant Professor, URI  
Lori Pivarnik, URI Food and Nutrition  
Ryan Clarke, Town Dock

Director Janet Coit welcomed all. She proceeded to ask all participants to introduce themselves, stating name, title or role/interest in participation with the Rhode Island Seafood Marketing Collaborative / Advisory Council.

### **I. ANNOUNCEMENTS**

Director Coit then asked the group for any announcements. Director Coit began with a few announcements:

1. Barry Costa-Pierce has accepted another academic position in another state. Asked members for any nominations to replace him on the Task Force.
2. First Annual Galilee Seafood Festival held on Sept 6, 2012 was a great success. Good events, seafood, and tours of seafood facilities at the Port. Noah Clark mentioned that over 80 people toured a dragger boat at Town Dock. There were other events and a road race.
3. Recent Projo front page article in Food mentioned the fishing industry. October 7, 2012 Projo article.

4. Ken Ayars mentioned that many interagency activities are now involved in working towards institutional buying and new opportunities for small local businesses in Rhode Island.
5. October 26, 2012 was National Food Day. Several local events in Rhode Island towns from October 24-26<sup>th</sup> sponsored in concert with Rhode Island Food Policy Council. See website for event and speaker from Vermont.
6. RIDEM is proposing regulations around aquaculture relative to the duration of time of seeds in hatcheries and specifics relative to food health and safety.

Director Coit asked for open floor announcements:

1. Derek Wagner mentioned a Chef's Collaborative. Chef's Event scheduled for Boston promoting seafood (specifically, underutilized seafood dinners) ("trash-fish dinners").
2. Kathryn Farrington reported on Newport Restaurant Week – November 2-11, 2012. Trend from restaurants are "...all about sustainable locally-sourced foods".
3. Laura Blackwell mentioned her newest seafood cookbook of recipes from local fishermen. Many feature underutilized species of seafood and easy to prepare seafood dishes.
4. Michael McGiveney mentioned the transplant day occurring for shellfish was being held today October 18, 2012 on Greenwich Bay and High banks. Clams also being grown in upwellers.
5. Katrina White mentioned a June 2013 event called Star Chefs. It is a New England event maybe held in Providence showcasing "Trace and Trust" and "The Local Catch".
6. Katrina White also mentioned an increase in inbound Chinese tourists coming to Rhode Island. Rhode Island Seafood is the logical food for these guests.
7. WEBSITE: Kathryn Farrington requested we explore the possibility of setting some system to enter the [www.seafoodri.com](http://www.seafoodri.com) website to post EVENTS that could be updated by members. Robert Rheault mentioned that there should be more videos on the website for easy methods on "how to prepare / cook seafood and shellfish. Perhaps Twitter and Facebook streaming videos. And/or more You Tube videos.
8. Director Coit also mentioned a recent Projo Article about Hope and Main Food Center. Ken Ayars mentioned that this facility—once opened-- would offer a public kitchen that could be rented for food preparation and refrigeration of products. They are doing videos and offering training classes to learn about food production with health and safety in mind.
9. Director Coit stated that Election Day is approaching and Bond issues #5 and #6 address wastewater and protection of farms and open space. DEM is supportive of both these bond issues.

## **II. STATUTE REVIEW**

Director Coit provided reminders to all members regarding:

- Commitments to the Task Force and/or Advisory Council require a 2-year term. This 2-year term ends under statute for current members after April 2013.
- Also, formal meetings are required 4 times per year, and,

- The statute also requires a formal written report of milestones/achievements of member meetings and subcommittee meetings be reported by April 30, 2013. Need to record our work progress activities.

### **III. PROGRESS AND PRIORITIES**

Progress to date:

Subcommittees should continue and be prepared to record and report progress. Subcommittee members should establish informational sheets or outlines based on the “first year report to General Assembly”. Many good suggestions need to be moved forward. This document should serve as the guidance for activities/milestones.

Branding and funding were the two key elements that were previously cited in our Report to the General Assembly. Bob Ballou will report on Branding and G Bertrand will report on Funding.

#### **BRANDING : Robert Ballou**

BRANDING : Robert Ballou, Chief of RIDEM Fish and Wildlife Division, reported on the status of the Branding subcommittee work. Many hours of subcommittee work were done on the topics of “What is the definition of local seafood”. Some already established guidelines written by RIDEM for agriculture and are being adapted to seafood products. Some definition may need a statutory regulation for change to qualify seafood as “local”. Robert Ballou had hoped to meet prior to this formal meeting but scheduling conflicts prevented a full quorum from meeting beforehand.

- a) Robert Ballou directed the members to review the prospectus in the meeting handouts regarding RIGL Section 2-1-8 as potential suggestion for adaptation of regs for local seafood.
- b) Logo designs shown to members. Representative Peter Martin liked the blue seal and a quick vote suggested that it was the most popular among members presented. Majority of 26 selected this logo for the seafood logo. Other suggestions regarding the logo include: Nick Obolensky suggested it should be in the shape of a fish; Kathryn Farrington liked “certified” on the logo (some opposed). Ryan Clarke stated that Federal regulators should have opportunity to review the logo for interstate approvals.

Lori Pivarnik questioned what we were “certifying”? Nick Obolensky added, we should distinguish between aquaculture and ocean shellfish. Robert Rheault wanted a better definition for “landed” scallops as they are not from Rhode Island.

- a) Robert Ballou stated subcommittee members had coined the phrase “Rhode Island harvested, grown or produced” to go along with the logo.
- b) Mr. Ballou also stated that the logo should be trademarked as soon as all modifications have been approved. This will be covered by the grant funds.
- c) And, finally, any dealer or individual abusing the use of the logo should be denied its use.

- d) Ryan Clarke said that violations will always occur. “Produced” is considered a more positive word than “processed”. Lori Pivarnik says “produced” is only good for our local processing facilities. Lori also stated that country of origin labels sometimes carry two labels. One for product from the country of origin, and processed by US as the 2<sup>nd</sup> label. Mike McGiveney stated: “could we have two stickers?”
- e) Bill Silkes stated that less than 1% of shellfish from Rhode Island are grown in Rhode Island waters. These are mussels, clams, oysters.

Robert Ballou stated: “we had a challenge to protect the brand and what it stands for”. Again, RIDEM should define what is going to be “eligible” to be called local seafood and what is not local. Ernest Julian stated “something must protect the brand with a solid definition”. Robert thanked members for their input on this branding topic. Using a “whole and processed” commodity label then, “processed (at least New England regional products) by a Rhode Island company” as second label might be a possible solution.

Mike Walker suggested we explore the seals of other states. What are they doing? What are they using or saying to consumers?

Sarah Schumann stated: Were legislators trying to promote harvesters with less emphasis on producers?

Overall, Robert Ballou stated that we need to educate the public on the “definition” and give a definition on the website. Do we support local businesses or are we emphasizing support for local seafood? Topic needs more work.

Hoping to get definition resolved by November 14 next meeting.

### **FUNDING: Gerard Bertrand**

Gerard Bertrand stated that we have a van Beuren Charitable Foundation grant with approximately \$23,000+ currently available. The grant ends 12/31/2012 and GB has been in contact with the vBCF Grants Administrator. Has been granted verbal extension. The vBCF wants a formal letter sent by RIRDC to them for Board approval of an extension. Letter will be sent by RIRDC asking for the extension through June 30, 2012. Rationale given was that our 2<sup>nd</sup> year carries through the written report to the General Assembly by end of April. Then, bills need to be paid, Ag Day at the Statehouse in May, all account activities concluded, and a formal report to vBCF. This would take us into May/June timeframe. So, have asked for extension to June 30, 2012 which coincides with State end of year. They tentatively agreed to this date.

Gerard Bertrand reported that the RIRDC may not be able to continue as fiscal agent for grant funds beyond December 31, 2012 and plans are underway to transfer open grants to another non-profit. More details at next meeting.

G Bertrand also stated that there is another grant pending from New England Environmental Grassroots Foundation for a GROW grant of \$3,500. This grant could be flexible enough to pay

for advertising and P/R. vBCF grant is for outreach and education only. No funds for advertising or P/R. Had received approval from vBCF to use funds to pay for logo designs.

And, two major grants from USDA-RD for \$50,000 and another USDA-AMS FSMIP grant of \$50,000 was not awarded on behalf of the Seafood Marketing Collaborative. And, many other private funders have questioned why the State of Rhode Island wasn't funding our efforts. They have declined to participate due to this issue.

#### **IV. UPCOMING OPPORTUNITIES**

Katrina White mentioned that she has 6 J&W interns available to work on phone calls to all restaurants in Rhode Island to solicit how many offer local seafood products on their menus. This information will be used to populate the MARKETPLACE section of our [www.seafoodri.com](http://www.seafoodri.com) website. Katrina also urged all other businesses, producers and harvesters to place their business opportunities on this marketplace section.

Ken Ayars stated he would seek out a legal opinion on branding and definitions.

Kathryn Farrington stated we need to strategize for more P/R and events for the Holidays.

**ADJOURNMENT : 4:05 PM (OCTOBER 18, 2012).**



## **December 4, 2012 Meeting Minutes**

On Tuesday, December 4, 2012 the Rhode Island Seafood Marketing Collaborative was called to order by RIDEM Div of Ag Chief Ken Ayars in the absence of Director Janet Coit (illness) for its sixth formal meeting (second meeting of 2nd year). Meeting started at 2:05 p.m. at the Rhode Island Department of Environmental Management, 235 Promenade Street, Room 300, Providence, Rhode Island.

**In attendance:** Approximately 24 members hand counted in attendance at 2:06pm.

### **Collaborative Members**

Janet Coit, Director of DEM  
Mike Walker, Senior Project Manager, EDC  
Robert Ballou, Acting Chief of Fish & Wildlife, DEM  
Ernest Julian, DOH  
John Mullen, DOH

### **Advisory Council Members**

Ann Cook, Co-founder, The Local Catch, Inc.  
Bill Silkes, President, American Mussel Harvesters  
Hirotsugu Uchida, Assistant Professor, URI  
Lori Pivamik, URI Food and Nutrition  
Ryan Clarke, Town Dock

Ken Ayars welcomed all. He proceeded to ask all participants to introduce themselves, stating name, title or role/interest in participation with the Rhode Island Seafood Marketing Collaborative Task Force or Advisory Council, and other affiliations.

## **1. ANNOUNCEMENTS**

Ken Ayars began this portion of the meeting with several announcements, then asked the group for any other important announcements.

Ken Ayars announcements:

1. The Bond referendum #5 and #6 were both approved at the November 2012 elections.
2. Ken thanked all who worked to promote these referendums and tell all his appreciations for the support.
3. DEM has crafted regulations for Food and Agriculture. Ken stated he and other DEM officials trying to get visibility for a dedicated funding stream from the State for Food and Ag and Seafood. He further stated that this is an exciting time that has Food and Agriculture focused as a successful industry group. He also mentioned the added momentum of the Rhode Island Food Policy Council and

visibility of this group for all Food-related groups. It will still need legislative support to get needed (dedicated) funds for Food and Ag.

4. The Economic Impact Study was recently completed for the Nursery and Landscape and Turfgrass industries. This represents about 2/3 of the whole agricultural industry in the state. The Economic Impact Study showed over \$1 Billion dollars of results in boosting the local Rhode Island economy. This report has been shared with Legislators and some have been helping in crafting legislative support for the industries.
5. Collen Coyne of Food Export USA has sent along new funding opportunities from her agency and USDA for food exporting. Recently three Rhode Island companies were recognized as leading the local area food industry (and seafood) and being local, quality, export companies.
6. Ken Ayars recently gave a presentation at Bryant University Export Assistance Center regarding seafood exports. A handout of local article written about this event was circulated to attendees (reference page 3).

#### Announcements - Other members

7. Colleen Coyne mentioned that the Logo design that we are planning for Rhode Island is really not relevant to exporting. For exporting the relevant wording or logos are "America" and "American" "USA" but not "Rhode Island".
8. Katrina White of Rhode Island Tourism mentioned that Rhode Island Economic Development Corp has export assistance re: sales, exporting, and commissions available services at the Providence EDC Office. They are currently recruiting companies for a sales trip to China and offer some costs sharing and other benefits. See Katrina White or contact RIEDC Export Assistance Office at RIEDC.
9. January will be month for culinary event and tours hosted by Rhode Island Hospitality and Tourism at the Providence Convention Center.
10. Rhode Island Tourism has received good feedback about the first year event at the Port of Galilee and requests for more tours of the Port. A video of the last event is available. Might be a revenue stream idea for RISMIC to be part of ongoing tour schedule and coordination.
11. Gracie's Restaurant and Blithwold Gardens, Bristol had offered to do "local culinary dinner" to support RISMIC fundraising. They only ask for basic costs to cover expenses and all other funds go to RISMIC. Worthy of further exploration. Might need new subcommittee or added goal to the Marketing Committee.
12. First Annual Galilee Seafood Festival held on Sept 6, 2012 was a great success. Good events, seafood, and tours of seafood facilities at the Port. Noah Clarke mentioned that over 80 people toured a dragger boat at Town Dock. There were other events and a road race.

## **2. PROGRESS AND PRIORITIES**

### **a) Branding**

Robert Ballou, Chief of the RIDEM Fish and Wildlife Division, opened this segment of the meeting by giving update from recent subcommittee meetings and their report findings. Robert Ballou stated that from the meetings he has crafted a regulatory draft -a prospectus that was part of the handouts of the meeting materials.

Regarding Branding. The question remains "Who are we looking to serve?"

Bob offered these audiences:

- a. seafood consumers (inside and outside Rhode Island),
- b. Rhode Island based harvesters, dealers, growers.
- c. Rhode Island retailers.

Moving to the Prospectus, Robert Ballou read through the topic areas and highlights of each section and important regulatory statements.

- legal has approved RIDEM control over this program.
- "locally harvested and responsibly sourced" are referenced in the document.
- Administration of this program will be through new regulations by RIDEM. (older version did not cover all aspects -only covered agricultural land related crops).
- (see draft prospectus for proposals)

Comments regarding the draft prospectus:

Dave Beutel stated that there needs to be a firm definition use for "responsibly sourced" (on pg 2 of prospectus).

Lori Pivarnik also asked for clarification of "landed in Rhode Island" and/or harvested by a licensed commercial fisherman. And, Rhode Island vessel. All need definitions in the prospectus.

Hirotsugu Uchida echoed he would like to see more definitions in the prospectus.

Peter Martin spoke about "landed in Rhode Island" means that it provides an economic engine and income for the State of Rhode Island and the Rhode Island community. Trucked from New Bedford to Rhode Island may not mean the same.

Ernest Julian, DOH, stated food processing plants on ships freeze fish then landed in Rhode Island. In this case, fresh might not be appropriate. "landed in Rhode Island" fits the definitions but more regulations should be stated regarding enforcement of licensed and authorized".

Ryan Clark suggested that #5 in prospectus, risk of a vendor's loss of license is too large a risk - may not want to use the sticker.

Robert Ballou stated that it was now a voluntary program for vendors and processors. R Ballou will only use #5 point I only, i.e., suspension or revocation on use of the logo. (most agreed to that consequence for misuse).

Regarding the logo sticker:

Derek Wagner thought "certified" was okay on the logo sticker, but perhaps another logo sticker could be used for dealers/processors.

Katrina White stated that Rhode Island processors cannot use this sticker as they don't fit the definitions, but agreed that it was a good start. And, maybe something more will come later.

Ryan Clark suggested that the word "fresh" was okay if we obtained FDA regs to approve.

Rayna Maguire stated that "Responsibly Harvested" might be on the logo to replace "Get Fresh, Buy Local".

Mike Walker thought the soundbite statements on the logo were too narrow as defined. We already have branded names like "Pt Judith" and "prudence island" on packaging.

Bill Silkes thought he might need two packaging lines (one to carry the logo and another without the logo). He believed that would be too costly for production in processing. Licensed Dealers may not accept the logo.

Katrina White suggested we add the website address to the logo at the bottom, and eliminate all other wording as the logo will be too small to read on packaging.

Robert Ballou thanked all for the input and would craft the final document for the next meeting.

#### **b) Funding Update**

Gerard Bertrand stated that we had approximately \$23,000 remaining in the vBCF grant funds for seafood marketing. He had reviewed again the budget and had some flexibility to make purchases of printed materials as we get closer to a final logo design. This would offer some relief to print signage for Farmers Markets, recipe cards for supermarkets and fish markets. And, promotional information on nutrition and species of fish to give out at seafood events.

One other grant was pending from The New England Grassroots Environmental Group which was to announce its awards in mid December.

Some other private funders have shied away from donations as they expressed some concern about why the State of Rhode island had not contributed to this project. For this reason alone, several funders declined to accept our applications. If we were to get funds from the General Assembly or even Rhode Island Sea Grant, we could revisit these private funders and dispel their concerns.

No other funding activities to report at this time.

### **c) Website Update**

Paul Fleming attended the meeting and had prepared an overview of the current status of the website. Still more needed to populate the different sections. Paul stated that for the sake of consistency and cost savings, it would be best to group all new additions to the website marketplace section into a bulk submission. And, very open to taking other areas by bulk rather than one-on-one submissions.

Katrina White stated that she had interns from J&W who were beginning to compile a list and contacts to all the restaurants in Rhode Island. They would submit all the restaurants at once onto the website. She stated that others like supermarkets and fish markets get grouped together and added in one listing onto the website. Sarah Schumann was working with Bob Ballou to finalize the species listing and photos of fish to add to the website. This corresponds with seasonality chart and species availability through the year.

Sarah was also contacting the RHODE SHOW to get their written permission to use You Tube videos from their website for us to use seafood cooking segments on our seafoodri.com website.

The repr from the Rhode Show was on vacation, but Sarah will followup.

### **3. UPCOMING OPPORTUNITIES**

Katrina White suggested we buy up more domain names. And, perhaps add a FACEBOOK section to the Website. More photos could be added onto this section by local restaurants and Farmers Marketers of seafood. NOTE: Paul Fleming said that was a good idea and would add this immediately to the website.

Ernest Julian suggested that perhaps we should turn the logo into a QR code.

Ken Ayars stated that with a completed website, RIDEM was targeting for an announcement event in February 2013 about the logo, its meaning, and directing the citizens to watch for it in the community and view the new website to learn more.

One attendee suggested some pod-casts from industry people be added to the website.

## PROSPECTUS: Rhode Island SEAFOOD BRANDING PROGRAM

December 2012

### Genesis

The establishment of a Rhode Island seafood brand was a major recommendation set forth by the Rhode Island Seafood Marketing Collaborative in its first report to the Rhode Island General Assembly (April 2012).

### Authority

RIGL Section 2-1-8 vests the Director of the Rhode Island Department of Environmental Management (OEM) with the authority to establish and administer a program to promote the marketing of Rhode Island seafood and farm products grown and produced in Rhode Island for the purpose of encouraging the development of the commercial fishing and agricultural sectors in the state.

### Purpose

A Rhode Island seafood brand will:

- Enhance opportunities to obtain and enjoy Rhode Island seafood;
- Bolster consumer awareness and confidence regarding the nature and source of Rhode Island seafood; and
- Elevate the status of Rhode Island seafood in the marketplace, thereby increasing demand and yielding greater economic *value* for the seafood industry.

### Program Overview

- DEM will establish and administer a Rhode Island seafood brand (logo) to identify and promote seafood products that come from Rhode Island.
- The Rhode Island brand will signify that the seafood product is ~~Rhode Island harvested, grown or produced~~ *locally harvested and responsibly sourced*.
- The brand will be made available to DEM-licensed seafood dealers, as well as others who purchase and sell the product -- following along the chain of custody -- once it is branded by the dealers.

### Managing and Protecting the Brand

- The brand will be trade-marked.
- The brand will be ~~initially administered in accordance with~~ administered pursuant to new regulations promulgated as amendments to DEM's *Rules and Regulations for the Implementation of the Rhode Island Agricultural and Fisheries Products Identification Servicemark*. The amended regulations will address:
  - The formal establishment of the logo;
  - The types of seafood products that may be branded using the logo;
  - Authorized users of the logo, and the process for granting authorized use;
  - Ramifications of misuse.

- DEM will draft and publicly notice the proposed regulations by mid December 2012; consider comments from the Collaborative and the general public through mid January 2013; finalize the regulations by late January 2013; and, joined by the Collaborative, launch the program soon thereafter.

### Specific Aspects of the Program - To be Codified in Regulation

#### 1. Logo (See attachment)

Proposed changes:

- Remove "CERTIFIED" {per recommendations of Collaborative}
- Remove "*Get Fresh*" {re: misleading if product was/is frozen}
- Remove "*Buy Local*" {re: speaks to marketing message, not the nature of the product}
- Potentially, add some or all of the following:
  - *Locally Harvested*
  - *Reliably Sourced*
  - *SeafoodRI.com*

Need professional assistance to determine how best to incorporate changes in logo design

#### 2. Seafood products that may be branded with the logo shall include and be limited to all:

- Farmed products grown in Rhode Island waters; and
- Wild fishery products landed in Rhode Island
- Taken together, the above two categories of products will constitute *locally harvested* seafood, per the regulatory provisions of the branding program.

#### 3. Seafood products that may be branded with the logo shall include and be limited to all farmed and wild fishery products that have been harvested in full compliance with all applicable state and federal laws and management programs.

- This standard will constitute *reliably sourced* seafood, per the regulatory provisions of the branding program.

#### 4. The logo may only be utilized by DEM-licensed seafood dealers, authorized pursuant to a letter of authorization issued by DEM, and those who utilize/sell the products acquired from authorized dealers.

#### 5. Sanctions for improper use of the logo will include:

- Suspension or revocation of the authorization to use the logo;
- Suspension or revocation of the (DEM) dealer's license; and
- Suspension or revocation of the (DOH) food vendor's license.



## Information and Education for Wholesalers, Processors, Retailers, and Consumers

- The process of seafood production - from sea-to-plate - will be a key feature of the *SeafoodRI* website.
- All DEM-licensed dealers authorized to use the brand will be listed on the *SeafoodRI* website.
- Wholesale and retail businesses that market Rhode Island seafood products will also be featured on the website.
- Brief descriptions of the eligible species typically grown and landed in Rhode Island will also be provided on the website. The descriptions will focus mainly on the nature of the local commercial fisheries or aquaculture operations, and the nature of the management programs governing each fishery.

## Launching the Program

- The branding program and the *SeafoodRI website* will both be launched simultaneously via a public event - perhaps at the State House - in early February 2013.
- ~~After the seafood branding program is launched, DEM will pursue the development and adoption of updated regulations to lend more strength, clarity and protection to the program.~~
- ~~Initially, all DEM licensed seafood dealers will be provided with written authorization to use the brand, subject to an application process, and pursuant to terms and conditions.~~
- ~~The primary condition is that the brand can only be used to identify and promote seafood products that are Rhode Island harvested, grown or produced.~~
- ~~Initially, the only sanction for improper use will to rescind the authorization. Additional sanctions, such as the suspension or revocation of dealer's licenses and/or fines, will be considered via proposed updates to the regulations governing the program.~~
- ~~The logo may only be utilized by authorized dealers and those who utilize the products acquired from authorized dealers.~~

## Eligible species

- ~~Species eligible to be branded via the program shall include:~~
  - ~~Scup, squid, lobster, summer flounder, yellowtail flounder, hardshell clams, softshell clams, sea scallops, monkfish, silver hake, black sea bass, tautog, winter flounder, cod, jonah crab, haddock, bluefish, striped bass, tunas, bonito, and bay scallops, as well as farmed species such as oysters and mussels.~~
- ~~From the list of eligible species, only those that meet the standard of *Rhode Island harvested, grown or produced* will be eligible to be branded via the program.~~
- ~~The Collaborative will need to further consider and agree upon the application of this standard. See attached summary from the Collaborative's report on this issue.~~

Excerpt from Branding and Certification Subcommittee Report, as set forth in the Rhode Island  
Seafood

Marketing Collaborative's April 2012 Report to the Rhode Island General Assembly

The Subcommittee recognized that the term *local* relates to where seafood is harvested (grown or caught) and landed.

*Local* could mean seafood harvested from Rhode Island waters, from southern New England waters, or from anywhere off the Northeast or Mid-Atlantic coasts. The Subcommittee recommends the latter, since it best characterizes where Rhode Island fishermen and growers fish and harvest.

*Local* could just mean locally harvested seafood that is landed Rhode Island at a licensed Rhode Island dealer, or it could be extended to also include locally harvested seafood that is landed regionally, e.g., at neighboring ports, by a Rhode Island interest, and then transported to a licensed Rhode Island dealer for processing. The Subcommittee recommends the broader definition, since it best characterizes where Rhode Island dealers and processors obtain their products.

The Subcommittee considered the phrase used to brand seafood products from North Carolina: "produced, packed, or processed in North Carolina." The Subcommittee recommends a variation on this for defining the *local* aspect of the Rhode Island Seafood brand:

***Rhode Island harvested, grown, or produced***

The Subcommittee offers this recommendation with the stipulations that (1) the brand can only be used by licensed Rhode Island dealers, operating in Rhode Island; and (2) that "produced" means "packed and/or processed in Rhode Island." That latter distinction means that all Rhode Island landings will qualify for the brand, as well as seafood transported whole and unprocessed, from neighboring ports to Rhode Island dealers, for packing and/or processing. The Collaborative may want to consider further clarifying, or limiting, the application of "Rhode Island produced," e.g., "landed or harvested in Massachusetts or Connecticut and transported whole and unprocessed to a Rhode Island dealer on the same day," or "landed or harvested in New England and transported whole and unprocessed to a Rhode Island dealer on the same day."

On the one hand, the Subcommittee felt strongly that the brand should not be saddled with qualifications that would make it too unwieldy. On the other hand, the Subcommittee was mindful of the risk of diluting the significance and meaning of the brand if it were applied too liberally. Some examples of what the brand could/should apply to:

- It could/should apply to seafood that's landed in New Bedford, MA by a Rhode Island vessel and then transported by a Rhode Island dealer to his/her place of business in Galilee for processing/packing/sale.
- It could/should apply to mussels grown in Maine and then boxed and sent to a Rhode Island dealer for sale.

*This issue requires further consideration.*

Draft logos considered in this prospectus:



## **March 29, 2013 Meeting Minutes**

On Friday, March 29, 2013, the Rhode Island Seafood Marketing Collaborative was called to order by Director Janet Coit for its seventh formal meeting (first meeting of 3rd year) at approximately 2:10 p.m. at the Rhode Island Department of Environmental Management, 235 Promenade Street, Room 300, Providence, Rhode Island.

### **In attendance were:**

#### **Collaborative Members**

Janet Coit, Director of DEM  
Mike Walker, Senior Project Manager, EDC  
Robert Ballou, Assistant to the Director, DEM  
Ken Ayars, Chief of Agriculture DEM  
Alli Rogers, Department of Administration  
Ernest Julian, Department of Health

#### **Advisory Council Members**

Ryan Clark, Vice President, The Town Dock  
Mike McGiveney, President Rhode Island Shellfishermen's Association  
Hirotsugu Uchida, Assistant Professor, URI  
Lori Pivarnik, URI Food and Nutrition

#### **Others**

Rayna Maguire, Assistant to the Director, RIDEM  
Noah Fulmer, Director of Farm Fresh RI  
Sarah Schumann, working with Farm Fresh RI  
Representative Peter Martin, House of Representatives, District 75 (Newport)  
Steven Anderson, Vice President, Rhode Island Party and Charter Boat Association  
Katrina White, Travel Trade Manager, EDC

## **ANNOUNCEMENTS**

Director Coit announced that the Senate Fisheries Task Force met last month. At that meeting, DEM was asked to speak about status and trends in the world of fisheries and seafood. DEM highlighted the activities of the Seafood Marketing Collaborative at that meeting.

Director Coit provided an update on the new Rhode Island Seafood branding logo. The logo will be officially announced on Ag Day, on April 25. The regulations pertaining to the logo will be going out to public comment soon. The logo cannot be used until after the regulations are finalized, later this year.

Director Coit announced that DEM and the Town of Narragansett recently received a large grant (\$2.9 million) from the US Economic Development Corporation to invest in improvements to the port of Galilee. The State will be matching those grant funds.

Director Coit mentioned that a bill is being considered in the General Assembly to make calamari Rhode Island's official state appetizer. Bob Ballou testified on this bill last week on behalf of DEM. Director Coit suggested that despite some negative attention on talk radio, this bill is a great opportunity to promote the kind of things promoted by the Seafood Marketing Collaborative.

Director Coit announced that \$100,000 has been allocated in the State budget for seed money for the Rhode Island Agriculture and Seafood Marketing Grant program. There are nonprofits who are interested in matching that money.

Director Coit announced that deadline to spend the Van Beuren Foundation grant (which funds support work for the Rhode Island Seafood Marketing Collaborative) has been extended from December 31, 2012, until June 30, 2013. The grant has been transferred from Rhode Island Rural Development Council to Farm Fresh RI, and is now being overseen by Noah Fulmer.

The annual report is due on April 30. Sarah Schumann is in charge of putting this together; everyone is welcome to contribute suggestions. DEM will come up with an interactive electronic platform to collaborative on this report.

Director Coit announced her intent to send out a survey for feedback on where participants would like to see the Seafood Marketing Collaborative go in the future.

## **2. BRANDING PROGRAM**

Bob Ballou and Ken Ayars provided an update on the branding logo program. DEM has worked with their legal department to develop regulations pertaining to use of the new logo by businesses. Noah Fulmer is working on trademarking the logo. The goal is to roll out the logo on Ag Day at the Statehouse (although it won't be possible for businesses to apply the logo until the regulations are officially in place).

Draft regulations -- The language in the regulations draws on established language in state law, much of it from agricultural regulations. The most important part is that a brand will be established and will be owned by DEM, can be used with permission, and can only be taken away due to misuse. In contrast to agricultural marketing, only dealers will be authorized to make the initial application of the logo. The penalty for misusing the logo is a criminal penalty, based on the recommendation of the DEM legal office. In addition, this regulation makes it illegal to mislabel seafood in general (whether or not the logo is used). Specifically, it is now illegal to label one species with the name of another (e.g., calling skate scallops).

Comments –

Mike Walker asked why a restaurant needs written authorization to use the logo, since the logo is already on a product when purchased from an authorized dealer. Bob Ballou answered that this language was based on the advice of legal counsel who suggested it was necessary to protect and control the brand.

Lori Pivarnik asked what would happen if on day one, a restaurant buys Rhode Island seafood and puts the logo on their menu and then on day two, they use the logo but don't use Rhode Island seafood. In this instance, the customer will continue to assume that it is Rhode Island seafood, when it is in fact not Rhode Island Seafood. Ernest Julian responded that DOH is aware that mislabeling occurs, and agree that this will be an issue. However, he noted that DOH does have the resources to police mislabeling.

Mike Walker remarked that businesses outside of Rhode Island will not know that they're supposed to obtain written authorization to reapply the logo.

Mike McGiveney asked how the logo will be affixed to packaging.

Bob Ballou said that when DEM develops fisheries regulations, it puts them out to public comment with several different options. We could include several different options for the Rhode Island Seafood logo regulations as well.

Bob Ballou mentioned that DEM has already received a comment suggesting that commercial fishermen should also be able to apply the logo to their product, prior to delivering it to a dealer.

Discussion ensued about where in the supply chain the logo can/should be applied.

Ken Ayars asked if participants would like to discuss the issue of civil vs. criminal penalties. The DEM legal office recommended the choice of a criminal penalty.

Mike McGiveney suggested adding the word "knowingly" to the language describing what constitutes a violation.

### **3. FARM FRESH RI**

Noah Fulmer introduced himself to the group. Farm Fresh RI has taken over the Van Beuren Charitable Foundation grant to support the work of the Rhode Island Seafood Marketing Collaborative. Noah mentioned several initiatives that Farm Fresh RI is working on in conjunction with this work.

Hospitals -- Healthcare without Harm has been holding conversations with the group that coordinates hospitals in Rhode Island. One of the things they are working on is getting Rhode Island seafood into hospitals. They will be working with Sysco, which has an approved relationship with Red's Best out of Boston. They are working to identify a species to use for a pilot project, and they are leaning towards choosing skate wing.

Poster -- Farm Fresh has worked with a graphic artist to design a visually appealing poster showing the seasonality of Rhode Island seafood. The purpose of this is to educate consumers, chefs, and others about the variety of seafood caught by local boats. This poster will be given to classrooms. Farm Fresh will use grant funds to print posters and distribute them. Rep Peter Martin suggested making sure that all Rhode Island ports (not just Pt Judith) are represented.

Restaurant survey -- Katrina White has been working with JWU interns to survey restaurants about their local seafood purchasing practices. They are posting the results on the marketplace of the [www.seafoodRI.com](http://www.seafoodRI.com) website. Unfortunately, due to the timing of things, there won't be any link between the restaurants that are authorized to use the logo and the restaurants that are listed on the website marketplace. That issue may be addressed at a later date.

Sarah Schumann clarified that there are two issues associated with posting these listings. One is that there is no link requirement that a business be authorized to use the logo in order to have a listing on the website; the other is that there is no way to verify that the seafood posted on the marketplace is Rhode Island seafood. There are a few options to deal with this inconsistency:

- Option 1: Don't list the species at all, just the restaurant.
- Option 2: Send out a letter to those businesses that have submitted listings, explaining a definition of seafood that is consistent with the proposed regulatory definition of Rhode Island seafood.

It was decided to have a temporary subcommittee to address this issue.

Video project -- Sarah Schumann explained that the video project is ongoing. Anyone interested in participating in a 3-minute YouTube video should get in touch with Sarah. Videos have two purposes: to promote Rhode Island seafood businesses (and Rhode Island seafood in general) and to teach consumers a seafood preparation skill that they can use at home and that will make them more comfortable serving seafood.

#### **4. ROUNDTABLE**

Next steps:

- Subcommittee will be formed to address marketplace/logo issue.
- A group of us will flesh out the outline for the report to the General Assembly.
- April 16<sup>th</sup> meeting is cancelled. We'll try to get together in late May.

Other updates:

- Ernest Julian announced that DOH is going to help with a story on farmers markets for a TV station. DOH and DEM are coordinating a farmers' market conference on April 16<sup>th</sup>.
- Shellfish Management Plan: Hiro Uchida announced that he is leading an economic analysis of Rhode Island shellfish marketing. The goal of this project is to understand the seasonal market for quahogs and how it is affected by substitution. The main



focus is on how the ex-vessel price for quahogs is affected by volume (because supply fluctuates). On the demand side, the study will examine how much of an inclination there is substitute one species for another. One speedbump that the group has hit already is that there is not much data on farmed species. Because of confidentiality, the researchers can only obtain annual data. This means that they won't be able to analyze farmed species, unless the growers are willing to share that data. The portion of the study focusing on wild-caught shellfish has an estimated completion date around the end of the summer. It was decided to add shellfish marketing as a dedicated agenda item for the next meeting of the Rhode Island Seafood Marketing Collaborative.

- Mike Walker announced that the state got a \$1.9 million grant to do a new economic development plan, a new housing plan, and a new sustainability plan. The HUD is looking for broad input and contributions to this plan. Mike suggested that seafood interests should get involved; he will help plug participants into the public comment process.
- Mike McGiveney encouraged the Collaborative to consider measures addressing the low price of big quahogs.
- Lori Pivarnik announced that Bill Idell at JWU is coordinating a chowder cook-off in October, where students will compete and will learn about Rhode Island seafood. It will be a culmination to a week of events of seafood education.

Appendix II. Draft Regulations Governing the Rhode Island Seafood Brand

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF AGRICULTURE  
RULES AND REGULATIONS GOVERNING  
THE RHODE ISLAND SEAFOOD BRAND  
AND THE MISLABELING OF MARINE SPECIES**

\_\_\_\_\_,2013

AUTHORITY: These regulations are adopted pursuant to Title 20, Chapters 42-17.1 and 42-17.6, and §§ 2-1-8 and 2-1-9 of the Rhode Island General Laws of 1956, as amended, in accordance with R.I. Gen. Laws Chapter 42-35, the Administrative Procedures Act.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF AGRICULTURE  
RULES AND REGULATIONS GOVERNING  
**THE RHODE ISLAND SEAFOOD BRAND**  
**AND THE MISLABELING OF MARINE SPECIES**

EFFECTIVE: \_\_\_\_\_, 2013

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## **RULE 1.00 PURPOSE**

The purpose of these regulations are (1) to establish a Rhode Island Seafood Brand, or logo to be administered by the Department of Environmental Management, for use in identifying and promoting Rhode Island seafood products; (2) to adopt rules and regulations governing the use of the Rhode Island Seafood Brand, or logo; and (3) to prohibit the mislabeling of marine species by any seafood dealers and, in addition, any commercial vendors utilizing the Rhode Island Seafood Brand, or logo.

## **RULE 2.00 AUTHORITY**

These regulations are adopted pursuant to Title 20, Chapters 42-17.1 and 42-17.6, and §§ 2-1-8 and 2-1-9 of the Rhode Island General Laws of 1956, as amended, in accordance with Chapter 42-35 of the Rhode Island General Laws, the Administrative Procedures Act.

## **RULE 3.00 ADMINISTRATIVE FINDINGS**

Section 2-1-8 of the Rhode Island General Laws vests the Director of the RI Department of Environmental Management with the authority to establish and administer programs to promote the marketing of Rhode Island seafood products grown and produced in Rhode Island for the purpose of encouraging the development of the commercial fishing and aquaculture sectors in the state. In accordance with this authority and purpose, the Director has determined that a Rhode Island seafood brand will serve the interests of the state by (1) enhancing opportunities to identify, access, and enjoy RI seafood; (2) bolstering consumer awareness and confidence regarding the nature and source of RI seafood; and (3) elevating the status of RI seafood in the marketplace, thereby increasing demand and yielding greater economic value for RI seafood. The Director further finds that the marketing of seafood products would be enhanced, if consistent with the Director's responsibilities pursuant to Title 20 of the Rhode Island General Laws, purchasers of marine products were afforded protection against the mislabeling of seafood products by licensed dealers.

## **RULE 4.00 APPLICATION**

The terms and provisions of these rules and regulations shall be liberally construed to permit the Department to effectuate the purpose of state law, goals, and policies.

## **RULE 5.00 DEFINITIONS**

For the purpose of these regulations, the following terms shall have the following meanings:

1. "Authorized dealer" means a dealer who has been issued written authorization by the Department to use the Rhode Island Seafood Brand to identify and promote Rhode Island seafood products.

2. “Commercial aquaculturist” means an individual, firm, partnership, association, academic institution, municipality, or corporation, duly licensed by the State of Rhode Island to conduct commercial aquaculture in Rhode Island, pursuant to RIGL Chapter 20-10.
3. “Commercial fisherman” means a person duly licensed by the State of Rhode Island to harvest and/or land seafood products in Rhode Island, pursuant to RIGL Chapter 20-2.1.
4. “Dealer” means a person duly licensed by the State of Rhode Island to sell, purchase, barter, and/or trade seafood products obtained directly from a duly licensed commercial fisherman, pursuant to RIGL Chapter 20-2.1.
5. “Department” means the Rhode Island Department of Environmental Management.
6. “Land” means to transfer seafood products directly from a commercial aquaculturist or a commercial fisherman to a dealer for sale or intended sale.
7. “Person” means an individual, corporation, partnership, or other legal entity.
8. “Rhode Island seafood products” means any marine species that have been grown in Rhode Island waters by commercial aquaculturists and any marine species that have been landed in Rhode Island by commercial fishermen, pursuant to all applicable state and federal regulations.

#### **RULE 6.00 GENERAL REQUIREMENTS**

1. A Rhode Island Seafood Brand (the “brand”) is hereby established and as depicted in the attachment to these regulations.
2. The brand is subject to the full ownership of, and control by, the Department.
3. The Department may authorize use of the brand by dealers for the express purpose of identifying and promoting Rhode Island seafood products. Such authorization will be issued in writing, upon application to the Department by the dealer. Such authorization will enable the dealer to use the brand on any packaging that contains Rhode Island seafood products, and any documents or written materials associated therewith.
4. Dealers authorized to use the brand are responsible for ensuring that the brand is used properly, i.e., applied only to packaging that contains Rhode Island seafood products. The co-mingling of Rhode Island seafood products with seafood products from other states is prohibited.
5. Any alteration or modification of the brand is prohibited.
6. Once a Rhode Island seafood product is demarcated with the brand, by virtue of its inclusion in packaging to which the brand has been affixed by an authorized dealer, the brand may be used by other persons or entities who acquire the product from an authorized dealer,

following along the chain of custody, provided that the brand is used properly, i.e., for the continued and sole purpose of identifying and promoting the product. Examples of persons or entities authorized to use the brand in this way include retail establishments and restaurants that sell seafood products directly to the public.

7. Any dealer who does not possess a valid authorization to use the brand shall be prohibited from marking any product with the brand or otherwise representing that a seafood product or the facility offering the product is associated with the brand. Any person or other entity who does not obtain seafood products from an authorized dealer shall be prohibited from marking those products with the brand or otherwise representing that those products are associated with the brand.
8. Any authorized dealer, or other person or entity who obtains seafood products from an authorized dealer, found to have improperly used the brand will be subject to enforcement action, which may include and shall be limited to: suspension or revocation of the authorization or right to use the brand.
9. The Department reserves the right to deny the application of any dealer or other person or entity seeking authorization to use the brand based on any prior violation of a rule or regulation pertaining to marine fisheries administered by the Rhode Island Department of Environmental Management, or any prior violation of a rule or regulation pertaining to the sale of seafood administered by the Rhode Island Department of Health, that occurred within the three (3) year period prior to the date of application.

#### **RULE 7.00 MISLABELING OF MARINE SPECIES**

1. No dealer, person or entity shall offer for barter, trade, or sale a seafood product that is represented to be a species other than the actual species of said product.

#### **RULE 8.00 PENALTIES**

1. Any person who has violated the provisions of these regulations may be penalized as follows:
  - (a) First violation - up to one hundred (\$100.00) dollars;
  - (b) Second violation - up to three hundred (\$300.00) dollars;
  - (c) Third violation – up to five hundred (\$500.00) dollars; and
  - (d) Fourth and successive violations – up to one thousand (\$1,000.00) dollars.
2. In addition to the penalty imposed by Rule 8.00(1), any authorization issued by the Department to any person to use the Rhode Island Seafood Brand to identify and promote Rhode Island seafood products, may be suspended or revoked as the Director or his/her designee in his/her discretion determines, for the time periods below if the person violates the provisions of these regulations:

- (a) First violation - up to thirty (30) days suspension;
- (b) Second violation - up to ninety (90) days suspension;
- (c) Third violation - up to three hundred and sixty-five days suspension;
- (d) Fourth and successive violations – revocation

In addition, no new authorization conferring said privileges shall be issued during the period of suspension or revocation to the subject person or to any corporation in which the person owns a majority interest or to a partnership in which the subject is a party.

### **RULE 9.00 APPEALS**

In accordance with RIGL § 42-17.7-9, Administrative Hearings:

1. Any person who seeks an adjudicatory hearing in order to contest an enforcement action which alleges a violation(s) of these rules and regulations must file said request in writing with the clerk of Administrative Adjudication Division, One Capitol Hill, and Providence, Rhode Island 02908 within twenty (20) calendar days of receipt of the contested agency enforcement action.
2. Any person who seeks an adjudicatory hearing relative to denial of the issuance of an authorization to use the brand arising under these rules and regulations must file said request in writing with the clerk of Administrative Adjudication Division, One Capitol Hill, and Providence, Rhode Island 02908 within thirty (30) calendar days of receipt of the contested agency action.

### **RULE 10.00 SEVERABILITY**

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected.

**RULE 11.00 EFFECTIVE DATE**

The foregoing "Rules and Regulations Governing the Seafood Brand", after due notice, are hereby adopted and filed with the Secretary of State this day of \_\_\_\_\_, to become effective twenty (20) days thereafter, in accordance with the provisions of Title 20, Chapters, 42-35, 42-17.6 and 42-17.1 and §§2-1-8 and 2-1-9 of the General Laws of Rhode Island of 1956, as amended.

\_\_\_\_\_  
Janet L. Coit, Director  
Department of Environmental Management

Notice Given on: \_\_\_\_\_

Public Hearing held: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_



### Appendix III. Draft Rhode Island Seafood Brand Dissemination Materials for Wholesalers, Retail, and Restaurants

To whom it may concern:

The Rhode Island Seafood Marketing Collaborative is pleased to announce the launch of a new branding campaign to promote Rhode Island seafood. Developed in conjunction with Rhode Island’s fishing, aquaculture, seafood distribution, and hospitality sectors, the purpose of the new branding campaign is to encourage the development of the commercial fishing sector in Rhode Island by differentiating Rhode Island seafood in the marketplace through an easily identifiable Rhode Island Seafood logo. The enclosed packet of information guides restaurants, wholesalers, and retailers through making the most of this new promotional tool.



Rhode Island’s fishing and seafood industries represent a vital part of our state’s economy and an integral part of our state’s cultural fabric. The new Rhode Island Seafood branding logo makes it possible for seafood grown or landed in Rhode Island to maintain its Rhode Island identity through all steps of the supply chain, from the fishermen and aquaculturists who harvest it to the restaurants and retailers who offer it to the public. The Rhode Island Seafood brand is designed to enhance opportunities to identify, access, and enjoy Rhode Island seafood; bolster consumer awareness and confidence regarding the nature and source of Rhode Island seafood; and elevate the status of Rhode Island seafood in the marketplace, thereby increasing demand and yielding greater economic value for the Rhode Island seafood industry.

Terms of use of the Rhode Island seafood branding logo are detailed under the newly published “Rules and Regulations Governing the Rhode Island Seafood Brand,” effective X/X/2013. As specified in this regulation, the branding logo may be applied only to products that emanate from Rhode Island. This category of products is defined as “seafood products that are grown in and harvested from Rhode Island waters by commercial aquaculturists, and seafood products that are landed in Rhode Island by commercial fishers.”

The Rhode Island Seafood brand may be applied by seafood dealers, retailers, restaurants, or any other business distributing Rhode Island seafood products meeting this qualification. The logo may be printed on or affixed to boxes and other packaging materials, affixed as a tag to a shellfish product, incorporated into menu listings, or used in any other way in which the logo is clearly linked to a specific Rhode Island seafood product (see attached demo sheet for logo application suggestions). The co-mingling of seafood products that emanate from Rhode Island and from other states is prohibited, as is any alteration or modification of the brand.

The branding logo may be reapplied at any stage of the supply chain. All businesses wishing to apply or reapply the Rhode Island Seafood brand to a seafood product must obtain prior

authorization from the Rhode Island Department of Environmental Management. An application for authorization is appended to this letter.

In addition to the Rhode Island Seafood branding logo, the Rhode Island Seafood Marketing Collaborative has launched a new website, [www.seafoodRI.com](http://www.seafoodRI.com). The website tells the story of how Rhode Island seafood travels from ocean to plate, and includes online listings of all types of businesses selling seafood in Rhode Island: fisherman, aquafarmers, processors distributors, retailers, restaurants, and more. Businesses may join this listing by filling out the online informational form at <http://www.seafoodri.com/marketplace.php>. Since the Rhode Island Seafood branding logo contains a link to this website, consumers purchasing branded seafood can go online to learn more about the fisherman and businesses that bring the fruits of the ocean and the bay to their tables.

The branding logo and website were developed by the Rhode Island Seafood Marketing Collaborative. The Collaborative was created by the General Assembly in late 2011 to work cooperatively with the Rhode Island fishing community to promote the marketing and sustainability of Rhode Island seafood. Made up of six state agencies and ten industry advisers, the Collaborative works to increase demand for local seafood, facilitate agreements between fishermen and seafood dealers to expand the seafood marketplace, educate the public about local seafood, and identify funding sources available to support seafood marketing.

Applications to use the Rhode Island Seafood branding logo and submissions to the Rhode Island Seafood online marketplace listings may be faxed to (401)XXX-XXXX or mailed to (Division of Agriculture? Or Farm Fresh?)

Rhode Island Department of Environmental Management  
Division of Agriculture  
235 Promenade Street  
Providence, Rhode Island 02908

For more information about the Rhode Island Seafood branding logo, the SeafoodRI.com website, and the Rhode Island Seafood Marketing Collaborative, please contact XXXX by phone at (401)XXX-XXXX or by email at XXXX.com.

Sincerely,

Enclosures:

- Rules and Regulations Governing the Rhode Island Seafood Brand
- Suggested uses for the Rhode Island Seafood branding logo
- Application for authorization to apply the Rhode Island Seafood branding logo to seafood products
- Rhode Island Seafood online marketplace listing form

## Application for Authorization to Apply the Rhode Island Seafood Branding Logo

All businesses seeking to apply or reapply the Rhode Island Seafood branding logo must obtain formal authorization in writing from the Rhode Island Department of Environmental Management prior to utilizing the logo. By filling out and submitting the present application form, you are stating your interest in applying or reapplying the Rhode Island Seafood branding logo and your commitment to adhering to the terms of use pertaining to the logo.

1. Name of business seeking authorization:

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2. Name of contact person:

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3. Phone number: \_\_\_\_\_

4. E-mail address: \_\_\_\_\_

5. Physical address:

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6. Mailing address, if different:

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7. Type of business (check all that apply):

- fisherman
- aquaculture
- processor
- shellfish shipper
- shellfish reshipper
- wholesale distributor
- retail
- restaurant or other food service
- other:

8. Please list all types of Rhode Island seafood product to which your business intends to apply the logo:

- fresh fish
- frozen fish
- shellfish
- lobsters and crabs
- value-added products
- other:

9. Will your application of the logo be the initial application, or will you reapply the logo to seafood that you purchased that already carries the Rhode Island seafood brand?

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10. Please describe all forms in which you intend to use the logo (e.g., stickers; printed on packaging materials, menus, or handouts; shellfish tags; seafood display counter inserts):

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11. Please read and sign the following terms and conditions for using the Rhode Island Seafood logo:

- I, the undersigned, have read and understood the enclosed “Rules and Regulations Governing the Rhode Island Seafood Brand”.
- I will assure that the Rhode Island Seafood branding logo is applied or reapplied only to seafood products that are verifiably landed in Rhode Island or grown in Rhode Island waters when used at my place if business.
- I will assure that the appearance of the Rhode Island Seafood branding logo is not modified or altered in any way when used at my place if business. Prohibited alteration includes any changes to the color, text, or shape of the logo, but does not include resizing of the logo, which is an acceptable modification for the purposes of applying the logo in a variety of different uses.
- I will assure that Rhode Island seafood products carrying the logo are not commingled with products emanating from any other state(s) at my place if business.
- I understand that improper use of the logo may result in enforcement action, which may include and shall be limited to suspension or revocation of the authorization to use the brand.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Please submit this form to:**

Rhode Island Department of Environmental Management  
Division of Agriculture  
235 Promenade Street  
Providence, Rhode Island 02908

## Examples of suggested uses for the RI Seafood branding logo

- Restaurants: on menu next to dishes made with RI seafood
- Retail: Sticker affixed to the wax paper that a fish is wrapped in when purchased; label in display case next to RI seafood
- Wholesale: Logo printed on box containing RI seafood; sticker affixed to box containing RI seafood; tag tied onto bags of RI shellfish


### Seafood display counters:



### Seafood packaging:



### Restaurant menus:

|   |  |             |
|---|--|-------------|
|  | <b>BROILED ATLANTIC COD</b> .....                | <b>7.95</b> |
|   | <i>With potato and vegetable.</i>                |             |
|   | <b>BROILED LAKE PERCH (when available)</b> ..... | <b>7.95</b> |
|   | <i>With potato and vegetable.</i>                |             |
|   | <b>FRIED SHRIMP DINNER</b> .....                 | <b>8.45</b> |
|   | <i>With french fries and cocktail sauce.</i>     |             |

**Join The Seafood Rhode Island Marketplace**

**Fill in this form to obtain a free listing in our Marketplace at [www.seafoodRI.com](http://www.seafoodRI.com):**

|  |   |
|--|---|
| Name of Company*:                          |   |
| Contact person*:                           |   |
| Address*:                                  |   |
| Website:                                   |   |
| E-mail*:                                   | Phone*:   |
| Type of business<br>(check all that apply) | <input type="checkbox"/> Fishers<br><input type="checkbox"/> Aquafarm<br><input type="checkbox"/> Processor - no sales direct to the public<br><input type="checkbox"/> Wholesaler - no sales direct to the public<br><input type="checkbox"/> Distributor - no sales direct to the public<br><input type="checkbox"/> Grocery store/Retail<br><input type="checkbox"/> Restaurant<br><input type="checkbox"/> Educator<br><input type="checkbox"/> Farmer's Market<br><input type="checkbox"/> Community supported Fisheries (CSF) |
| Where to buy your seafood:                 |   |
| Hours of operation:                        |   |
| Types of seafood:                          | <input type="checkbox"/> Lobster<br><input type="checkbox"/> Clams<br><input type="checkbox"/> Mussels<br><input type="checkbox"/> Oysters<br><input type="checkbox"/> Flounder<br><input type="checkbox"/> Striped Bass<br><input type="checkbox"/> Bluefish<br><input type="checkbox"/> Scup<br><input type="checkbox"/> Other, Please specify:   |
| * Required fields                          |   |

**Return this form to:**

Rhode Island Department of Environmental Management  
 Division of Agriculture  
 235 Promenade Street  
 Providence, Rhode Island 02908