



Harvesting and Processing Sugar Kelp (*Saccharina latissima*) in Rhode Island

Sugar Kelp cultivation and processing in Rhode Island is regulated by multiple State agencies, including the Rhode Island Department of Environmental Management (RI DEM), the Coastal Resources Management Council (CRMC), and the Rhode Island Department of Health (RIDOH). This document provides the steps that are needed to obtain the licenses and approvals required to harvest and process kelp in Rhode Island.

Kelp is often harvested for compost, animal food, human food, or another use. Any business that harvests kelp in Rhode Island will need to complete Steps 1 and 2. Only businesses that harvest kelp for human consumption need to complete Step 3.

Step 1: Apply for Lease Permit

Coastal Resource Management Council (CRMC)

A CRMC assent is required. Leases last 10–15 years, with annual lease payments. Harvesting is restricted from November to May. An application for a lease must be submitted to CRMC. An operational plan must be submitted with the application.

Other requirements include:

- No license shall be renewed unless the applicant's aquaculture activities are conducted in accordance with the approved operational plan. The operational plan must be updated, resubmitted to CRMC, and approved by DEM prior to any operational changes.
- Must report how many lbs. per year are sold.
- Must follow CRMC Biosecurity Protocols for kelp seed importation, currently only kelp seed sourced from south of Cape Cod is acceptable.

Cost	\$150 first acre per year; \$100 an acre after that
Program Website	RI Coastal Resources Management Council
Operational Plan	Aquaculture Operations Application Packet
Contact Information	Benjamin Goetsch CRMC Aquaculture Coordinator 401-783-3370 bgoetsch@crmc.ri.gov

Step 2: Apply for Aquaculture License

RI Department of Environmental Management (RI DEM)

Rhode Island rule [250-RICR-40-00-1](#) **requires** an aquaculture license from RI DEM for an individual to sell cultured crops from an aquaculture lease or facility permitted by CRMC and operated in accordance with the aquaculturists approved operational plan.

An aquaculture application must be submitted to RI DEM to obtain approval for harvesting Kelp in Rhode Island.

If the intended use of your product is not for human or animal consumption, then you are done here and have the licenses you need to harvest kelp.

If the intended use of the product is for human or animal consumption, then your business will also be registered with the RI DEM Ag Produce Program based on your operational plan submitted to CRMC. If you change your operational plan at any time, you must submit a revised operational plan to CRMC for approval.

The DEM Ag Produce Program oversees the food safety practices related to the farming activities of Kelp. Farming activities include no more than one cut of the kelp and ambient drying.

Federally, seaweed for human consumption is recognized as a raw agricultural commodity (RAC), however, when processed it is subject to the Food Safety Modernization Act and the Preventive Controls for Human Foods (PCHF) regulation. Any processing of kelp outside of the farming activities listed above, requires you to proceed to step 3 and obtain a food business license from RIDOH.

Cost	\$25 Application fee plus Lease fees (See fee schedule: Guide to Commercial Aquaculture Applications)
Program Website	https://www.crmc.ri.gov/applicationforms.html
Contact Information	Rhode Island Department of Environmental Management Division of Marine Fisheries 3 Ft. Wetherill Rd. Jamestown, RI 02835 Office: 401-423-1932

Step 3: Apply for Food Processor License

Rhode Island Department of Health (RIDOH)

A food processor license from the RIDOH is needed to process and sell kelp *for human consumption* in Rhode Island. The processing of kelp falls under the ***Food Safety Modernization Act*** (FSMA) Preventive Control for Human Foods Rule.

You will need to include supplementary with your application to Rhode Island, such as an operational plan, labeling, list of suppliers, etc. For more detailed information on what information is needed with your application, please see the following guidance document: [Food Processing: Guidance for Rhode Island State and Federal Regulatory Requirements](#).

Cost	\$120-\$300
Program Website	Manufactured Food Program Department of Health
Contact Information	Rhode Island Department of Health, Center for Food Protection 3 Capitol Hill Providence, RI 02908 401-222-2750

Seaweed Resources

There are several resources that can help you get started with your kelp business.

- The [NY Sea Grant has a Seaweed Processing and Marketing Task Force](#) that has several resources related to harvesting and processing seaweed.
 - [Harvesting Food-Grade Seaweed](#)
 - [Best Practices for Maintaining Quality in Seaweed](#)
 - [Seaweed Food Safety: Comparing Compliance with Preventive Controls for Human Foods and Seafood HACCP](#)

Food Safety Resources for Farming Activities

- The USDA has several resources and guidance documents related to [Good Agricultural Practices](#).
- FDA also has a [Guide to Minimize Microbial Food Safety Hazards For Fresh Fruits And Vegetables](#).

Food Safety Resources for Preventative Controls

- The Preventive Controls for Human Food (PCHF) rule's food safety requirements can be found in [21 CFR Part 117](#).
- For guidance related to Preventive Controls, including the exemptions for very small businesses and low-risk on-farm activities, please see [FDA's Small Entity Compliance Guide](#).
- [NECAFS Processors' Food Safety Toolkit](#)