

# Aquaculture Now Legal As Agriculture In Pennsylvania

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existing situations.) Charles Itle, livestock show manager for the state Farm Show, said entries are still being sought. High school teachers with such class projects can call (717) 787-2905 for more information on entering.

Technically, aquaculture has never been an agricultural enterprise in Pennsylvania, although over the past years the state Department of Agriculture and the state Legislature have made provisions for aquaculture that effectively treated it as a member of the "agricultural family" of businesses.

For example, aquaculture had been given the ability to use fuel-tax exempt fuel oil (dyed red) for agricultural purposes, and has been allowed to have farm truck license plates.

Further, the state Department of Agriculture's diagnostic laboratory system came to the aid of aquaculture several years ago when it helped to develop a test for "whirling disease" in trout.

(The accomplishment allowed Pennsylvania trout producers to sell fish to New York state in time to stock New York trout streams for the opening day of its trout season. It was a coup for some Pennsylvania trout producers — up until Pennsylvania researchers rapidly developed an acceptable whirling disease test, there was no test. Regardless, New York state officials had banned importing trout if the fish didn't test free of whirling disease. The quick work

by researchers allowed New Yorkers to have their trout season and Pennsylvania trout farmers to sell them fish.)

But the new law is to make that support a fulltime expectation of the state Department of Agriculture's Diagnostic Laboratories.

For the most part, Pennsylvania has responded to some of the needs of its aquacultural industry, but the full recognition of the enterprise raises its status.

"Pennsylvania's aquaculture operations have annual sales of over \$13.8 million and contribute approximately \$45.1 million to the commonwealth's economy," said state Secretary of Agriculture Samuel E. Hayes Jr.

"The primary markets are fish for stocking private waters, garden pond and aquarium fish, baitfish for the sport fishing industry, foodfish for restaurants and supermarkets, and research.

"Our top four categories of production are trout, goldfish and koi, hybrid striped bass, and baitfish," Hayes said. "We expect the new law to encourage even faster growth of this environmentally friendly form of agriculture."

The law passed not only recognizes the industry as agriculture, but creates a foundation for further development of the industry.

The three-part stated purpose of the law, is:

- To encourage aquacultural operators to make a long-term commitment to aquaculture by offering them the same protections afforded other agricultural practices.

- To reduce the amount of governmental agencies with jurisdiction over aquaculture, by transferring authority over commercial aquacultural operations to the Department of Agriculture.

- To encourage further development of the aquacultural industry by including aquaculture in any and all promotional and other economic developmental programs which are made available to other industry sectors."

The law directs the state Department of Agriculture to develop a plan to promote and develop the aquaculture industry, and implement the plan as regulations of the department.

The law also calls for the formation of a 21-member advisory committee. The chairman of the committee is to be the secretary of agriculture, or a designee.

Other ex officio members (or designees representing such officials) are to be the secretaries of the state departments of Environmental Protection, and Community and Economic Development; the executive director of the state Fish and Boat Commission; the chairman and minority chairman of the House and Senate Ag and Rural Affairs committees, and the chairman and minority chairman of the House and Senate Game and Fisheries committees.

The nine appointed members are all to be active producers in their respective industries, as well as state residents.

There are to be three producers of cold water fishes; one producer of warm water fishes; one produc-

er working with an indoor facility (the other two fish production industries are currently practiced as primarily outdoor activities); a person who supplies products or provides services for the aquaculture industry; an aquacultural wholesaler, food broker or food merchant; an aquarium or ornamental species aquacultural merchant; and a representative of the sport fishing industry.

The appointed members of the committee are to serve three-year terms. The ex officio members serve while in office.

The committee is to draft and submit an aquacultural plan to the secretary of agriculture prior to Dec. 31, 1999.

The law also directs the Pennsylvania Agricultural Statistics Service (PASS — a joint federal-state service) to conduct a survey of aquacultural activity in the state every two years.

Currently, PASS reports trout production, just a portion of the aquacultural activity in the state.

The new report is assumed to include the production of ornamentals, baitfish, warm water fishes, and other types of aquacultural production.

The information gathered by PASS for the survey is not public information, and the individual survey forms required to be filed by permitted operations will not be shared with any other organization or the public.

While the forms are to require the gross receipts and sales for the aquacultural species produced, the information is to be used only to acquire general statistics about the entire industry in the state.

While statistical information is used for a variety of purposes, the

aquacultural data compiled by PASS is expected to benefit the aquacultural industry in several ways, but in one way especially — in recognition.

The better knowledge the agriculture department and other promotional agencies have about the types and strengths of aquacultural subindustries in Pennsylvania, the better the job that can be done to promote those subindustries, as well as the entire industry.

The federal government already recognizes aquaculture as an agricultural enterprise, and through some of the USDA disaster relief programs, some Pennsylvania operations have already been helped through low interest loans, grants, etc.

The new law defines "aquaculture" as, "A form of agriculture which is the controlled cultivation of aquatic plants, animals and microorganisms."

Conceptually, that fairly well includes the gamut of existing and futuristic aquacultural enterprises.

For example, there seems to be no good reason why beneficial bacteria couldn't be farm-raised (perhaps even by using manure from other livestock as an energy and other nutrient source.)

The same would seem to hold true for producing desirable types of algae or aquatic plants, from ornamentals to edibles.

Permits and licenses are required for commercial aquacultural operations, such as trout raising facilities, but the law clarifies how aquaculture is to be considered under the permitting laws.

For example, there had been concern expressed among some owners of existing aquaculture

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