

## **Marine Invasive Species – Related Laws and Regulations in Maine**

The Commissioner of the Maine Department of Marine Resources has broad authority to prevent the introduction and spread of unwanted marine organisms into Maine waters, but it is not explicitly targeted toward invasive organisms. The DMR has laws to regulate the importation of marine organisms into the state, including Chapter 24, Regulations: Importation of Live Marine Organisms; and Title 12, Section 6071, Statutes: Importing of Certain Marine Organisms. Dumping of marine animal waste material is controlled by statute in Title 12, Section 6251. The department regulates shellfish sanitation and depuration under Chapter 15 of the regulations.

### **DMR Regulations Chapter 24, Importation of Live Marine Organisms:**

The intent of this chapter is to prevent the entry via live marine organisms, regardless of size or age, of any infectious or contagious diseases or parasites, predators or other organisms that may be dangerous to indigenous marine life or its environment. These regulations are designed to prevent the entry of pests, diseases and parasites into Maine by controlling the deposit of marine organisms from disease- or pest-ridden areas and to prevent the spread of diseases or pests within Maine by controlling the deposit of marine organisms from possibly infested Maine coastal areas into diseases-free coastal areas. Under these regulations it is unlawful to import for introduction, or introduce, any live marine organism whether indigenous or non-indigenous, without a permit issued by the Commissioner. These regulations do not apply to transfers within Maine of indigenous organisms not originating in restricted areas in Maine. They do apply to the importation and transfer of live finfish (including eggs), and shellfish for use as brood stock, and the circumstances when action will be taken to control disease. Potential source locations considered to be infested are listed as restricted areas. For the purpose of protecting wild and farmed salmonid fish populations, requirements for facility health inspections, equipment biosecurity audits, disinfection protocols, and fish or gamete transfers are detailed.

### **DMR Statutes Title 12 Section 6071, Importing of Certain Marine Organisms:**

Under this statute, it is unlawful to import for introduction, possess for purposes of introduction or introduce into coastal waters a live marine organism (except for Atlantic salmon imported by the Atlantic Salmon Authority under Part 12) without a permit issued by the commissioner. Prior to granting a permit to introduce a nonindigenous organism, that has not been previously introduced under a permit, the commissioner shall hold a hearing. The commissioner may grant a permit to import, possess or introduce to the coastal waters a live marine organism if those activities will not endanger indigenous marine life or its environment, including via introduction of infectious or contagious diseases or parasites, predators, or other organisms. The commissioner may indefinitely embargo, condemn or order to be destroyed a marine organism or product, either indigenous or imported, for various reasons including: the

organism or product is of unsound quality or may be deleterious to health; it is diseased and could endanger indigenous marine life or its environment; or the handling or processing of a diseased organism or product could result in its introduction to coastal waters. This section also deems it unlawful to import for introduction into any waters of the State any live Atlantic salmon or eggs, that originate in any Icelandic or European territorial waters; or any other species of salmon, exclusive of rainbow trout, originating west of the North America continental divide.

**DMR Statutes Title 12 Section 6521, Dumping of Dead Marine Animals or Scaled Finfish:**

Under section 6521 it is unlawful to deposit or discard in marine waters any dead marine animal or its parts, except for deposition of oyster shell cultch to promote oyster growth. Also it is unlawful to dump or release into coastal waters any dead or alive finfish from which the scales have been removed.

**DMR Regulations Chapter 15, General Shellfish Sanitation and Depuration Provisions:**

Although the intent of this regulation is to protect consumer health by preventing the sale or distribution of shellfish which are unsafe for consumption, it does give the Commissioner the power to embargo shellfish for any reason set forth in Title 12, section 6856(6), which includes in addition to violation of Ch. 15 shellfish sanitation regulations, shellfish that are “otherwise unsafe”.