

Delaware:

§ 2104 Oyster harvesting methods.

(a) It shall be unlawful for a person to use any hydraulic dredge or mechanical device employing a vacuum or suction for the harvesting of oysters from any natural oyster bed without the prior written permission of the Department.

(b) It shall be unlawful for a person to harvest oysters from the State's natural oyster beds without immediately culling said live oysters from all shell and other materials and returning said shell and other materials to the State's natural oyster beds. Oysters shall be culled as aforesaid so that 2 bushels of oysters shall not contain more than 5 percent shells and other materials.

7 Del. C. 1953, §§ 2105, 2111; [51 Del. Laws, c. 151, § 1](#); [58 Del. Laws, c. 107, § 2](#); [60 Del. Laws, c. 513, § 2](#); [73 Del. Laws, c. 132, § 1](#);

Connecticut:

Universal Citation: [CT Gen Stat § 26-234b \(2012\)](#)

No person may take eastern oysters (*Crassostrea virginica*) from the waters of this state which are less than three inches long or which are otherwise not ready for harvest, as determined by the Commissioner of Agriculture, except that the taking of such oysters for sale, transplant and relay for aquaculture purposes within the waters of the state shall not be prohibited. The Commissioner of Agriculture may adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of this section.

(P.A. 91-333, S. 2, 4; June 30 Sp. Sess. P.A. 03-6, S. 146(e); P.A. 04-189, S. 1.)

Massachusetts:

(c) No person shall take or have in possession oysters less than three inches in longest diameter to the amount of more than 5% of any batch unless authorized by a permit issued by the Director.

(3) Restrictions on oysters and quahogs raised by aquaculturists and sold to dealers. Holders of an aquaculture propagation permit may possess undersized oysters or quahogs produced under the authority of the permit, and may be authorized to sell said shellfish provided the oysters are at least 2 1/2" in longest diameter and the quahogs are at least 7/8 inches in diameter.

(a) Sales of undersized shellfish by authorized aquaculture propagation permit holders shall be allowed only outside of the Commonwealth by authorized wholesale dealers who are approved as primary buyers by the Director pursuant to 322 CMR 7.07, and are certified by the Department of Public Health for the transport and sale of shellfish outside the Commonwealth.

(b) Wholesale dealers who receive undersized shellfish from authorized holders of an aquaculture propagation permit are prohibited from selling said product to any person or dealer within the Commonwealth and are prohibited from receiving or selling undersized shellfish from any source outside the Commonwealth.

(c) No naturally occurring non-aquaculturally reared wild seed may be sold in an amount of more than 5% of any batch as defined at 322 CMR 6.20(1).

(d) Dealer records shall denote that undersized shellfish are aquaculturally reared and such shellfish shall bear red tags that state "aquaculturally reared."

New York:

(c) Size limit.

(1) Except as provided in paragraph (4) of this subdivision, oysters (*crassostrea virginica*) less than three inches in the longest diameter shall not be taken, possessed on the waters of the marine and coastal district, or landed. This size limit shall not apply to oysters transplanted or cultured under permit from the department subject to the provisions of sections 13-0316, 13-0319 and 13-0321 of the Environmental Conservation Law.

(2) Oysters shall be culled when taken.

(3) All oysters which may not be taken pursuant to the provisions of paragraph (1) of this subdivision shall be immediately returned alive to the water.

(4) Oysters measuring less than three inches in longest diameter shall not comprise, by number, more than five percent of any bushel, or other package or container of different measurement of oysters taken from the catch.

Rhode Island:

4.4.3 Oyster: Three (3) inches measured parallel to the long axis of the oyster. (20-6-11)

Recreational harvest limit: (C) Oyster: Three (3) bushels per person per calendar day. (RIGL 20-6-10)

(C) Commercial:

(1) Bay quahaug, soft-shell clam, blue mussel, surf clam and oyster: Three (3) bushels per person per calendar day; maximum of six (6) bushels per vessel per calendar day;

(a) A maximum of two (2) licensed shellfishers per vessel is allowed.