

Aquaponics in Arkansas: Potential Permits and Licenses

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Introduction

Aquaponics is a hobby on the rise in Arkansas. Just as homeowners do not need licenses for the fish in a water garden or vegetables in the home garden, neither does the aquaponics hobbyist (Figure 1). But what happens when the hobbyist has too many vegetables or fish and chooses to sell their product? If aquaponics products are to be sold, the operator is well advised to research the need for any permits or licenses required by governing bodies in the area. If plants and animals from an aquaponics system are intended strictly for family use and no commerce is taking place,

no permits should be necessary. The bigger the scale of operation, the more likely permits will be required. Table 1 outlines more common permits that may be encountered.



Figure 1. Backyard aquaponics basil

Table 1. Potential Permits and Licenses

If I plan to:	Then I will need:
butcher the fish or modify them on the premises	an inspection and license from the Arkansas Department of Health
market aquaponics products on site	a permit from the Arkansas Agriculture Department
operate the aquaponics system on public land	a permit from the U.S. Forest Service and/or Arkansas Game and Fish Commission
grow fish for sale	a fish farmer permit from Arkansas Game and Fish Commission
use non-native species of fish for the aquaponics	a restricted species permit from Arkansas Game and Fish Commission
use fee-fishing as a part of the aquaponics system	a fee-fishing permit from Arkansas Game and Fish Commission
use the operation for tours or ecotourism	to read the publication <i>Agritourism in Arkansas</i> for guidance
sell plants or fish from the aquaponics system <u>and</u> I live in Benton County	to read CED87, <i>Checklist for Licensing a New Business</i>
sell whole, uncut fresh fruits and vegetables according to the <i>Farmer's Market Vendor Guide</i>	no permit or inspection from the Arkansas Department of Health

Where Can Permit Information Be Found?

1. State, county and city governmental agencies
2. Arkansas Small Business Development Center in your district
3. Arkansas Farm Bureau
4. Arkansas Department of Health
5. Arkansas Agriculture Department
6. Arkansas Game and Fish Commission
7. *Farmer's Market Vendor Guide*

Points of Contact for Information

1. The state, and each county and city, may have rules and regulations for raising plants and animals and selling them. Refer to those levels of government to make sure you are in compliance. For example, some cities will require a Do Business As (DBA) Certificate and a business license obtained from the County Clerk's Office.
2. The Arkansas Small Business and Technology Development Center, <http://asbtcd.org/>
3. The Arkansas Farm Bureau, <http://www.arfb.com/>
4. The Arkansas Department of Health if food preparation will go beyond the limits of the *Farmer's Market Vendor Guide*, <http://www.healthy.arkansas.gov>
5. Arkansas Agriculture Department if food preparation will go beyond the limits of the *Farmer's Market Vendor Guide*, <http://aad.arkansas.gov>
6. The Arkansas Game and Fish Commission for a fish farmer license and exotic species license, or to operate on public land, <http://www.agfc.com>
7. U.S. Forest Service, <http://www.fs.fed.us/working-with-us/contracts-commercial-permits/special-use-permit-application>

More Reading

1. *Agritourism in Arkansas*. 2008. <https://www.uaex.edu/farm-ranch/special-programs/docs/Agritourism%20in%20Arkansas%20Resource%20Guide.pdf>
2. *Arkansas Game and Fish Commission Code Book: Mussel, Baitfish and Fish Farmer Regulations*. http://www.agfc.com/enforcement/documents/agfc_code_of_regulations.pdf
3. *Arkansas' Cottage Food Law: What the New Law Allows*. April 2012.
4. *Checklist for Licensing a New Business*. <http://www.uaex.edu/publications/pdf/CED87.pdf>
5. *Farmer's Market Vendor Guide*. July 2011. <http://www.healthy.arkansas.gov/programsServices/environmentalHealth/foodProtection/Documents/FarmersMarketGuidelines.pdf>
6. *Key Requirements: Final Rule on Produce Safety*. FDA. November 2015. <https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf>
7. *Little Rock's Farmer's Market Rules and Regulations*. 2016. <http://www.littlerock.com/userfiles/editor/docs/Farmers%20Market%20Guidelines%202016.pdf>
8. *Standards for Produce Safety: Coverage and Exemptions/Exclusions for 21 PART 112*. FDA. November 2015. <https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472499.pdf>

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