

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL  
DIVISION OF FISH AND WILDLIFE  
Division of Fish and Wildlife  
3500 Tidal Finfish  
Tautog

**3531 Tautog**

1.0 Recreational and Commercial Size Limits

- 1.1 Notwithstanding the provisions of 7 **Del.C.** §§929 and 939, it is unlawful for any person to possess any tautog, *Tautoga onitis*, less than sixteen (16) inches in total length.

**22 DE Reg. 517 (12/01/18)**

2.0 Recreational and Commercial Possession Limits and Seasons

- 2.1 Notwithstanding the provisions of 7 **Del.C.** §§938 and 939, it is unlawful for any person to take and reduce to possession more than four (4) tautog per day during the period beginning at 12:00 a.m. on January 1 and ending at 11:59 p.m. on May 15, and during the period beginning at 12:00 a.m. on July 1 and ending at 11:59 p.m. on December 31, at or between the place where said tautog were caught and said person's personal abode, temporary or transient place of lodging or, for a licensed commercial foodfisherman, point of sale.

- 2.2 Notwithstanding the provisions of 7 **Del.C.** §§938 and 939, it is unlawful to take and reduce to possession any tautog during the period beginning at 12:00 a.m. on May 16 and ending at 11:59 p.m. on June 30.

**22 DE Reg. 517 (12/01/18)**

3.0 Commercial Tagging

- 3.1 After December 31, 2018, it is unlawful for a commercial fisherman to possess tautog in Delaware unless it is tagged prior to landing with a tautog harvest tag issued by the Division in accordance with this section.

- 3.1.1 Tautog harvest tags must be firmly affixed to the bony portion of the gill cover (operculum) such that the tag number faces outward from the body and can be readily viewed.

- 3.2 The Division of Fish and Wildlife may only issue tautog harvest tags to those commercial fishermen that apply to participate in the commercial tautog fishery using a form provided by the Division and returning said form to the Division by no later than September 1 in the calendar year preceding their participation.

- 3.3 After December 31, 2018, it is unlawful to buy, sell, barter or trade or offer to buy, sell, barter or trade tautog unless the fish has a firmly affixed and lawfully applied tautog harvest tag issued by a state in accordance with Amendment 1 to the Interstate Fishery Management Plan for Tautog (October 2017).

- 3.4 It is unlawful for any person issued tautog harvest tags by the Division to fail to report the loss, theft, damage or defect of a tag to the Division within 12 hours of discovery.

- 3.5 It is unlawful for any person issued tautog harvest tags to not file a complete and accurate monthly accounting of tag use by the last working day of the month following tag use on a form provided by the Division.

- 3.6 It is unlawful to buy, sell, barter or trade or offer to buy, sell or trade any tautog that has attached a tag reported as lost, stolen, damaged, defective or otherwise unusable in accordance with subsection 3.4 of this section.

- 3.7 Unless reported in accordance with subsection 3.4 or 3.5 of this section, it is unlawful for any person issued tautog harvest tag(s) to not return to the Division all unused tags by no later than February 15 of the year following their issuance.

**22 DE Reg. 517 (12/01/18)**

4.0 Gear Requirements

- 4.1 It is unlawful to retain tautog from any pot or trap unless the hinges or fasteners of at least one panel or door of the pot or trap is equipped with one of the following degradable materials:

- 4.1.1 Untreated hemp or jute string of not more than 3/16-inch (4.8 mm) diameter;

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**DELAWARE ADMINISTRATIVE CODE**

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4.1.2 Magnesium alloy fasteners, timed float released (pop-up devices) or similar device approved by the Division;

4.1.3 Non-galvanized or non-coated iron wire of not more than 0.094-inch (2.39 mm) diameter.

**1 DE Reg. 1771 (05/01/98)**

**6 DE Reg. 1360 (04/01/03)**

**11 DE Reg. 1257 (03/01/08)**

**15 DE Reg. 1177 (02/01/12)**

**16 DE Reg. 216 (08/01/12)**

**22 DE Reg. 517 (12/01/18)**