

POSSIBLE CHANGES TO REGULATIONS FOR SHELLFISH — GENERAL

The department plans to require that shellfish (oysters and clams) be delivered to a buy station on the same day of harvest.

The National Shellfish Sanitation Program's Guide for the Control of Molluscan Shellfish (Model Ordinance) requires delivery of shellfish on the same day of harvest. The National Shellfish Sanitation Program is the federal/state cooperative program recognized by the U. S. Food and Drug Administration (FDA) and the Interstate Shellfish Sanitation Conference (ISSC) for the sanitary control of shellfish produced and sold for human consumption. The purpose of the National Shellfish Sanitation Program is to promote and improve the sanitation of shellfish (oysters, clams, mussels and scallops) moving in interstate commerce through federal/state cooperation and uniformity of State shellfish programs.

The Model Ordinance requires delivery on the same day of harvest during the wild season, but the department only prohibits having oysters on your vessel more than 2 hours after sunset and any time before sunrise. The current regulations do not say you have to deliver them to a buy station on the same day of harvest. The Model Ordinance is very detailed, but the department and harvesters will be in compliance if delivery to a buy station is required on the same day of harvest. This action will apply to wild oysters, aquaculture oysters, soft clams and hard clams.

Harvesters must comply with this already since it is a requirement in Department of Health regulations. However, because it is not in the department's regulations, not all harvesters are aware of the requirement. Putting it into our regulations makes it clear for harvesters and Natural Resources Police officers.