



DATE: August 10, 2016

TO: Washington State Board of Health Members

FROM: Environmental Health Committee
Keith Grellner, Chair

SUBJECT: REQUEST FOR RULE DELEGATION FOR WAC 246-282-005, SANITARY CONTROL OF SHELLFISH – NSSP MODEL ORDINANCE

Background and Summary:

The Washington State Board of Health has authority under chapter 69.30 RCW to adopt rules controlling the sanitary growing and distribution of molluscan shellfish and requires the Board to consider the most recent edition of national standards when adopting rules. Chapter 246-282 WAC, Sanitary Control of Shellfish, has historically referenced United States Food and Drug Administration (FDA) standards called the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish (the NSSP Guide). The FDA has published a new 2015 edition of the NSSP Guide. The Department of Health is requesting the Board delegate its rule-making authority to amend WAC 246-282-005. This delegation would be limited to updating the rule to reference the 2015 edition of the NSSP Guide, without changes. It should not be controversial. These conditions meet the criteria set in Board policy 2000-001, Considering Delegation of Rules to the Department of Health.

Laura Johnson, Shellfish Certification & Licensing Section Manager, is here to answer any questions about this request. Please refer to materials behind Tab 11 in your packets.

Recommended Board Action:

The Board may wish to consider the following motion:

The Board delegates to the Department of health authority to revise WAC 246-282-005 for the purpose of referencing the most current version of the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, the 2015 edition.

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