



# SANITARY CONTROL OF SHELLFISH RULEMAKING UPDATE

June 12, 2024

# Presenter

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**Dani Toepelt, R.S.**  
**Manager**

Shellfish Licensing & Certification

# Chapter 246-282 WAC Rulemaking

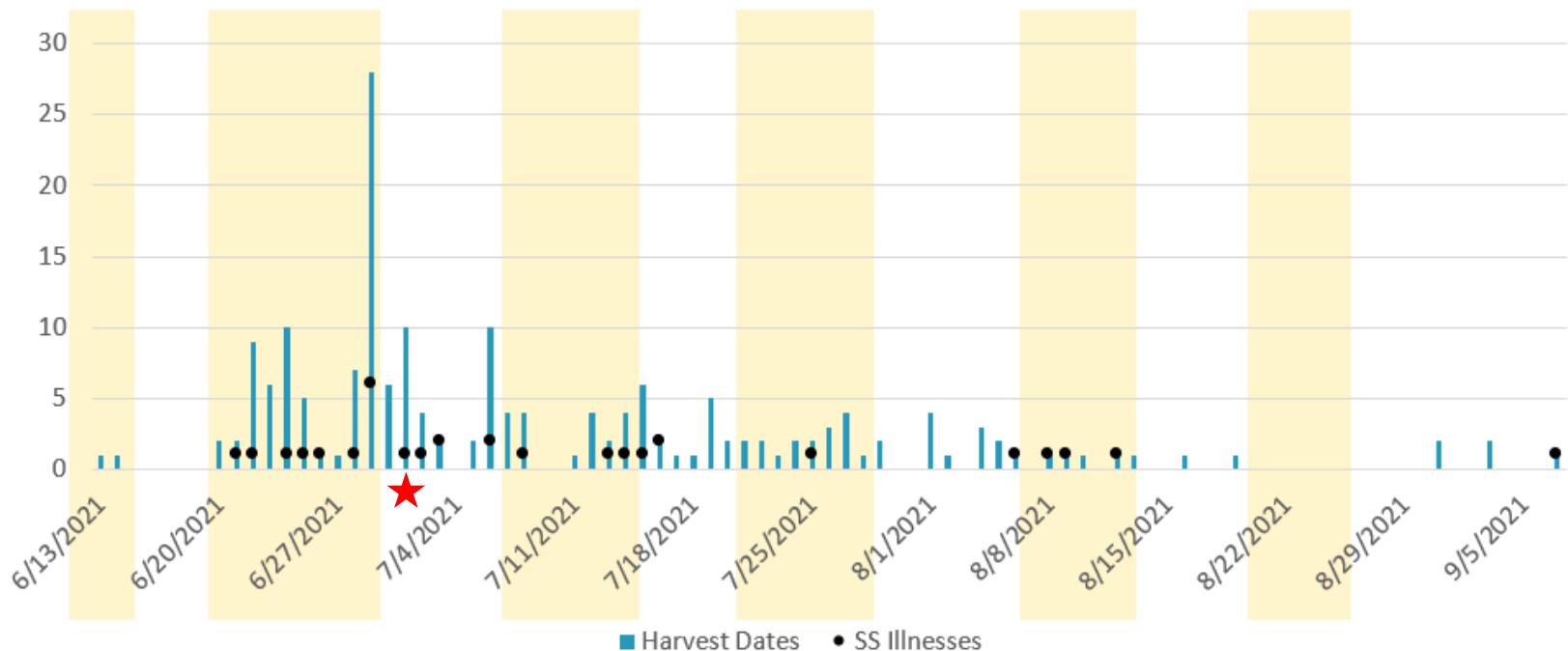
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- Background
- Emergency Rule
- Recommended Changes
- Informal Comments Summary
- Next Steps

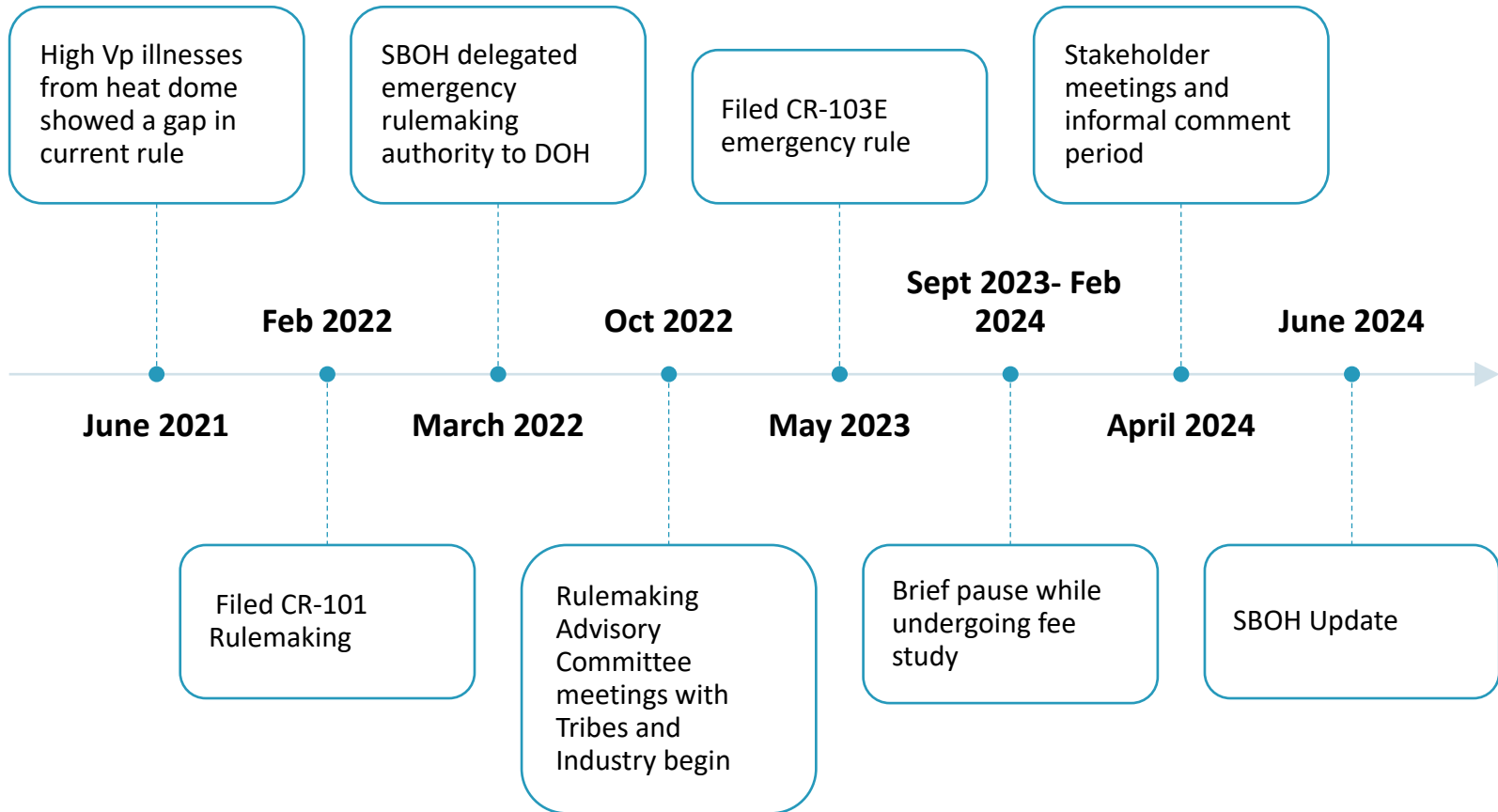


# How did we get here?

- Vibrio is a naturally occurring bacteria, thrives in warm water.
- WAC 246-282-006 *Vibrio parahaemolyticus* control plan.
- 2021 Heat Dome showed gap in regulation.



# Background



# Emergency Rule – Vp Time to Cooling Requirements

- WAC 246-282-006 Vp Control Plan requirements
- Defines Vp season as May 1 to September 30
- Time to cooling is based on the risk category (1, 2, or 3) given to each growing area
  - Based on last 5 years of illnesses
- Emergency rule changed period for strictest controls:
  - High temperatures & mid-day low tide
  - Emergency rule effective for 120 days

Requirements:	Time to Cooling:
Except as noted below, time of harvest to cooling requirement from May 1st through September 30th is:	5 hours
When ambient air temperature at harvest is greater than 80°F, the time of harvest to cooling requirement is:	3 hours
When harvest temperature is between 64°F and 66°F from July 1st through August 31st, the time of harvest to cooling requirement is:	1 hour
<b>Harvest Control:</b> From July 1st through August 31st, harvest is not allowed for twenty-four hours when harvest temperature is above 66°F.	

# Other Potential Changes

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- *Vibrio parahaemolyticus* Control Plan Changes
  - *Vibrio vulnificus*, months, re-submergence time
- Seed size reduction for Pacific oysters
- Add definitions
- Update permitting requirements
- Add tagging requirements
- Add labeling requirements
- Align with 2023 Code Reviser Bill Drafting Guide (Example: grammatical & tense changes)

# Informal Comments Summarized

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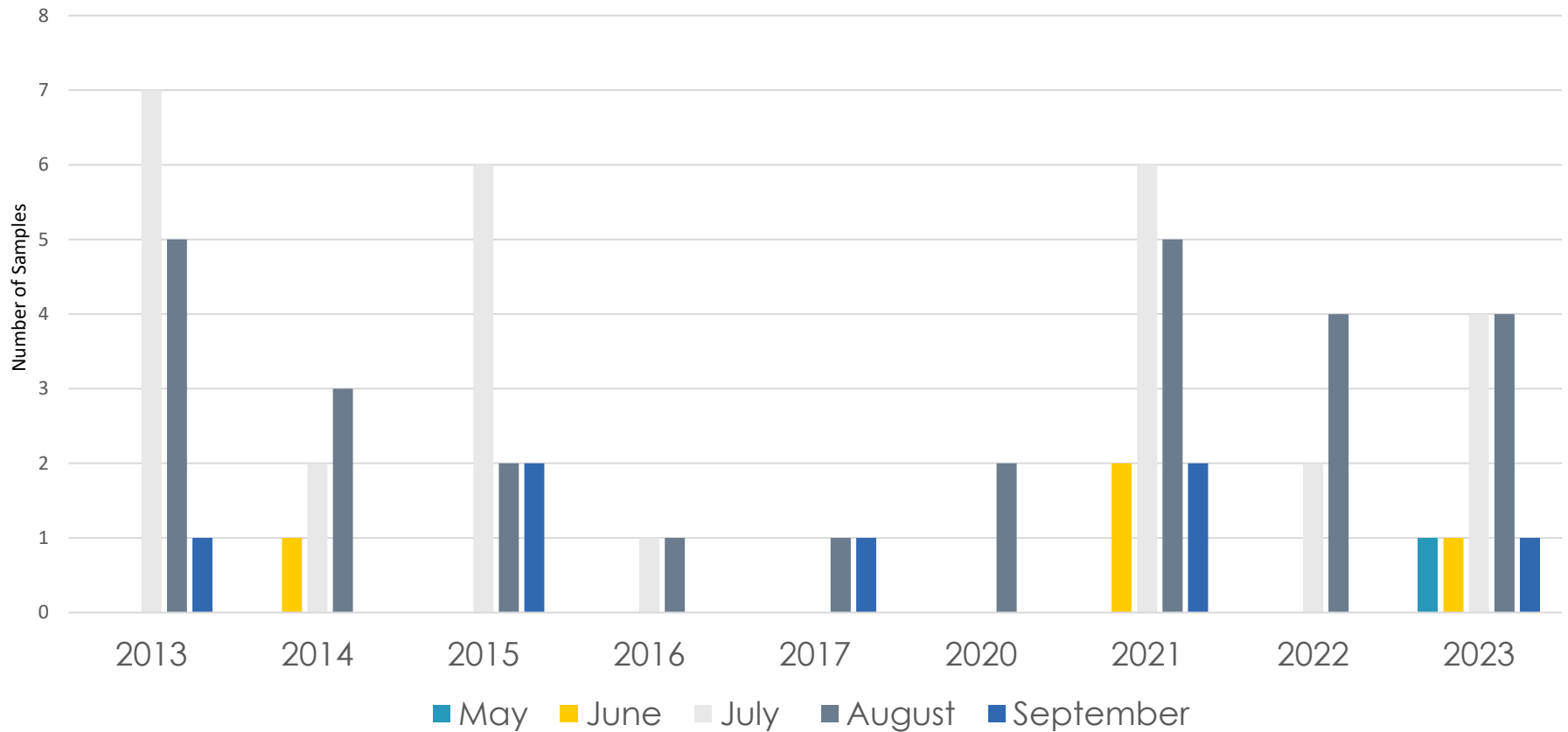


# Adding Vv

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- Concerns about adding *Vibrio vulnificus* to the *Vibrio parahaemolyticus* control plan.
- Why is it important?
  - Deadly strain of *Vibrio*
  - Requirement in the Model Ordinance once a foodborne illness is documented
  - Detected Vv in our shellfish (Twanoh SP)
  - Matter of time (CA had a confirmed Vv illness two years ago)

# Number of Samples with detectable Vv Levels in Oyster Tissue



# Additional Tagging Requirements

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- Concerns about requiring a harvest site ID, parcel number, or other approved department methods to a tag.
- Why does this matter?
  - Obtain parcel information right away.
    - Currently, takes about 2 to 3 days to get parcel information from industry
  - Close parcels instead of entire growing areas
  - Prevent illnesses

# Tag Example

**Toepelt Oysters**  
123 Oyster LN, Shelton WA  
WA-4444-SS

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**Original Shipper's Cert No.**

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**Harvest Date:** *03/02/2023*

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**Harvest Location:** *Totten Inlet*      **Harvest Site ID:** *T10007*


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**Type of Shellfish:** *Oyster*      **Quantity:** *100 dz.*

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THIS TAG IS REQUIRED TO BE ATTACHED UNTIL THE CONTAINER IS EMPTY OR IS RETAGED AND THEREAFTER KEPT ON FILE, IN CHRONOLOGICAL ORDER, FOR 90 DAYS.

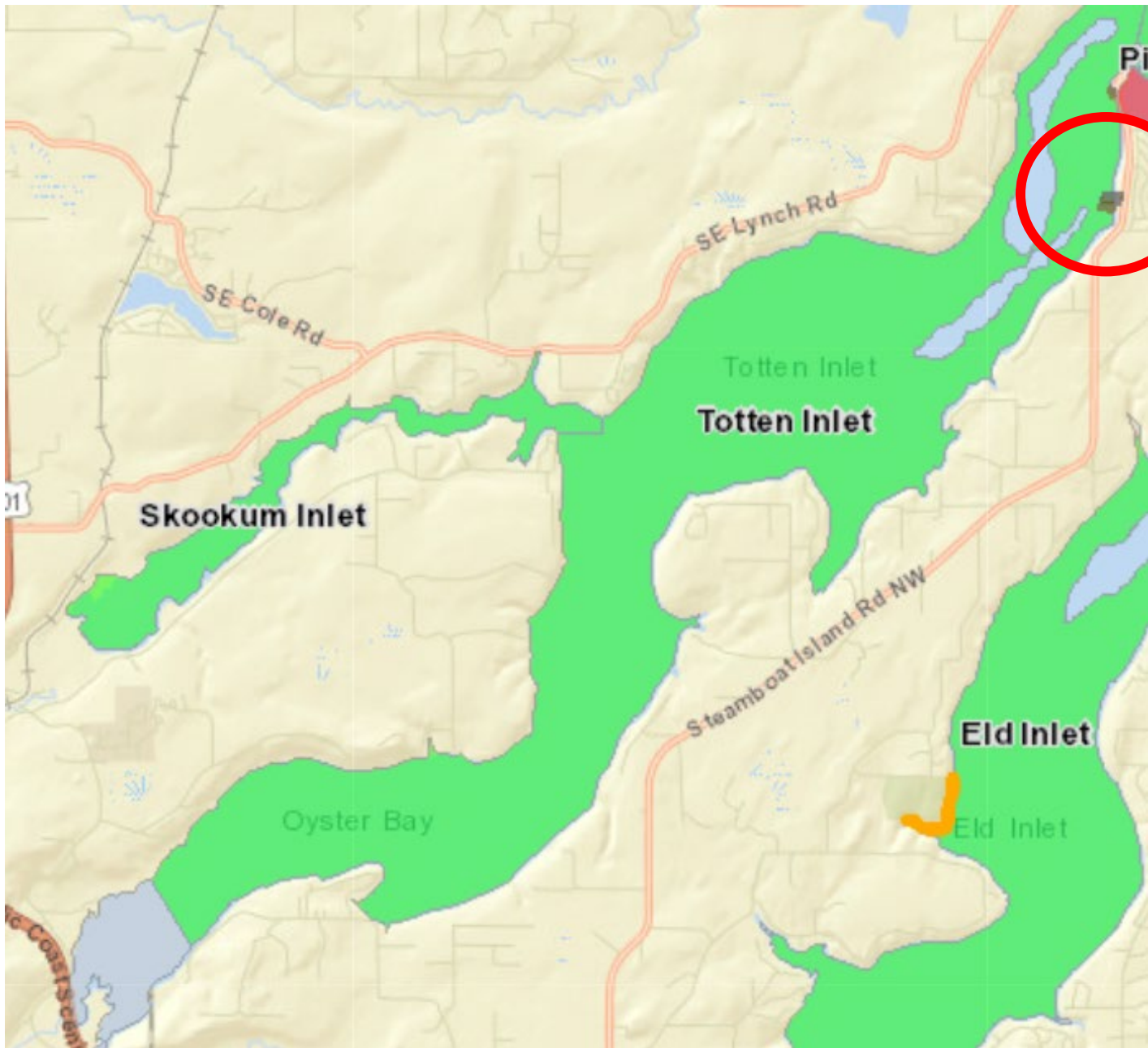
RETAILERS: DATE WHEN LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED (INSERT DATE) \_\_\_\_\_

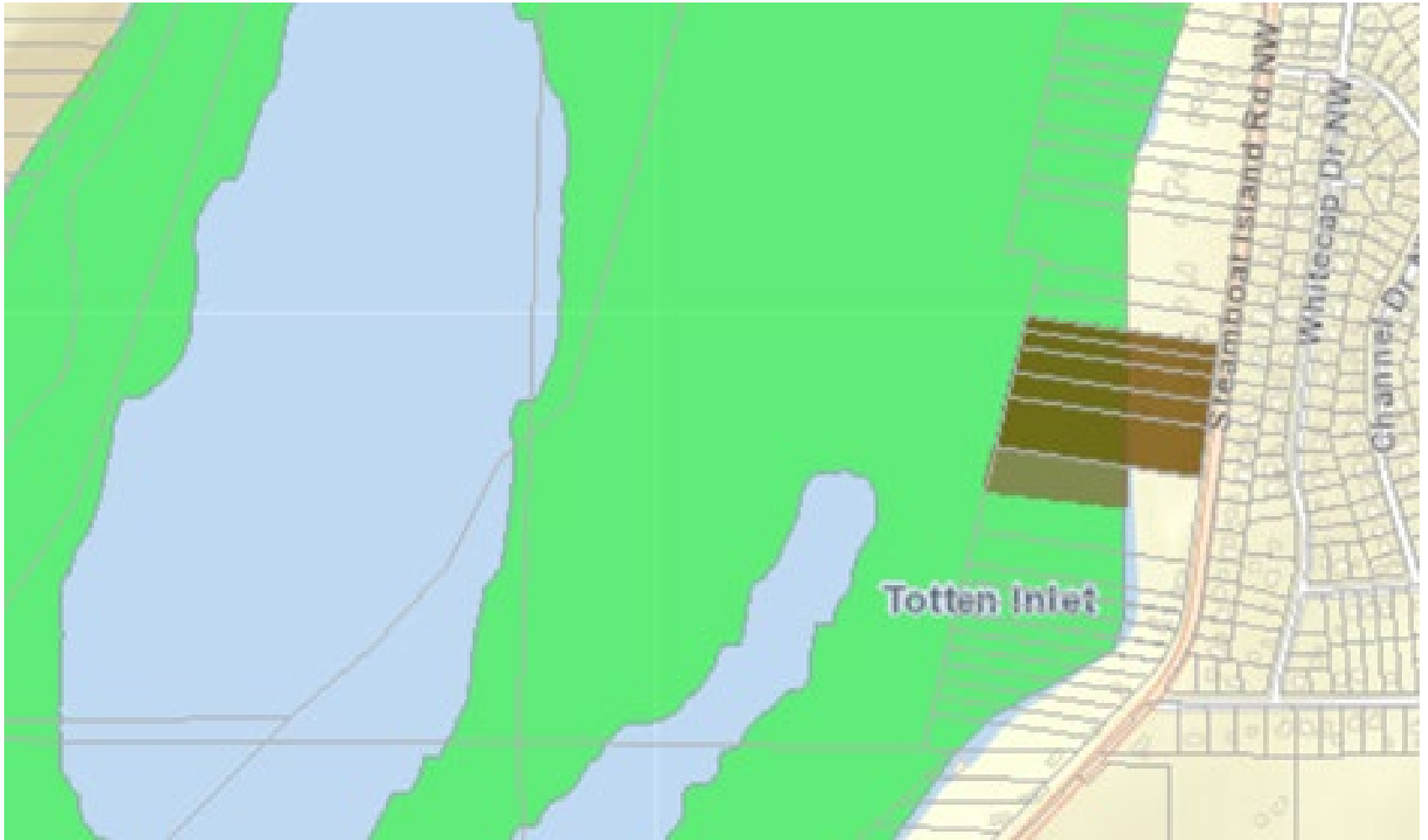
 **Harvest Site Certificate**  
Print Date: May 04, 2023

**Company Name:** TOEPELT OYSTERS      **Company Owner:** DANI TOEPELT  
**Address:** 123 OYSTER LN      **License Number:** WA-4444-SS      **License End Date:** 06/30/2023

**Harvest Sites**  
NSSP Growing Area: Totten Inlet

Application Number	MWSS Number and Classification	Site Number	Lease Expires	Signed CAAMP on file	Certification Date
2023-900	145 Approved	Parcel: Mason 319015000007		N/A	01/07/2023
	Owner: DANI TOEPELT	5790 SE Lynch Rd, Shelton	Acre: 2.50		Site ID:T10007
	Harvest Type: Cultivated	Species: Oysters, Littleneck Clams			





# Progress and Next Steps

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- Finalize draft revisions to WAC 246-282
- Meet with other agencies
- Assistant Attorney General Review
- Tribal & RAC informal review
- Prep docs for CR-102
- File CR-102
- Formal Comment Period & Public Hearing
- File CR-103



Done



In process

Questions?

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