



<p><b>Proposal for Task Force Consideration at the ISSC 2015 Biennial Meeting</b></p>	<p><input type="checkbox"/> Growing Area</p> <p><input checked="" type="checkbox"/> Harvesting/Handling/Distribution</p> <p><input type="checkbox"/> Administrative</p>
<p>Submitter</p>	<p>ISSC Model Ordinance Effectiveness Review Committee</p>
<p>Affiliation</p>	<p>Interstate Shellfish Sanitation Conference (ISSC)</p>
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<p>Proposal Subject</p>	<p>Ineffective Model Ordinance Requirement</p>
<p>Specific NSSP Guide Reference</p>	<p>Section II. Model Ordinance Chapter VIII. Control of Shellfish Harvesting</p>
<p>Text of Proposal/ Requested Action</p>	<p>@.01 Control of Shellstock Growing Areas</p> <p>B. Patrol of Growing Areas.</p> <p>(3) Exceptions.</p> <p>(a) Patrol is not required under the following conditions:</p> <p>(i) There is no shellfish productivity, as demonstrated by one of the following methods:</p> <p>a. pH, salinity, temperature, or turbidity are not favorable to the growth of shellfish; or</p> <p>b. The water bottom does not support shellfish growth; or</p> <p>c. The area has been depleted of shellfish by dredging, disease, or other means;</p> <p><del>(ii) Harvest from the area is not economically feasible (i.e., the cost of harvesting exceeds the market value of the product);</del></p> <p>(ii) The area meets all of the following conditions:</p> <p>a. The area is unclassified;</p> <p>b. Historically there has not been interest in commercial harvesting; <u>and</u></p> <p><del>c. Known points of pollution do not exist; and</del></p> <p><del>d.</del> The Authority has current evidence that commercial harvesting does not occur. This can be accomplished by information gathered from periodic patrols or reliable non-patrol sources.</p> <p>(b) Where natural sets resulting in commercially harvestable quantities of shellfish do not exist and advanced aquaculture methods (e.g., racks, bags, lantern nets, long lines and/or floats) are used in the area: The area shall be patrolled at the frequencies specified in Section B. (2) unless the authority develops and implements a Risk Management Plan for the area for the prevention of illegal harvesting of shellfish. The Risk Management Plan shall include monitoring and control of surveillance activities that supplement the minimum required patrol frequency of one (1) time per thirty (30) harvestable days. The Risk Management Plan at least should include the following:</p> <p>(i) Description of the area;</p> <p>(ii) Classification of the area;</p>

	<ul style="list-style-type: none"> <li>(iii) Description of adjacent growing areas;</li> <li>(iv) Procedure used to prevent shellfish from prohibited or closed waters to be commingled with shellfish from an aquaculture area; and</li> <li>(v) If, the patrol agency receives assistance from other state, federal, or tribal agencies, a memorandum of agreement (MOA) must be developed describing responsibilities of each agency. A copy of such MOA must be kept in a central file.</li> </ul> <p>(c) If the area is geographically remote, sparsely populated and has limited access (e.g., no or very poor roads) such that the potential for marketing the shellfish is severely restricted:</p> <ul style="list-style-type: none"> <li>(i) The area shall be patrolled at the frequencies specified in Section B. (2) unless the Authority develops and implements a Risk Management Plan for the area for the prevention of illegal harvesting of shellfish. The Risk Management Plan shall include monitoring and control of surveillance activities (e.g., airport, dock, border, or truck surveillance) that will be used in lieu of traditional patrol activities, and the area should be patrolled at least one (1) time per thirty (30) harvestable days. The Risk Management Plan shall describe the administrative procedures and resources necessary to prevent illegal harvesting and/ or the illegal commingling of the product and include at least the following: <ul style="list-style-type: none"> <li>a. Description of the area;</li> <li>b. Classification of the area;</li> <li>c. Description of adjacent growing areas; and</li> <li>d. If the patrol agency receives assistance from other state, federal, or tribal agencies, a memorandum of agreement must be developed describing responsibilities of each agency. A copy of such MOA must be kept in a central file.</li> </ul> </li> <li>(ii) If the Authority has current evidence that commercial illegal harvesting is occurring, the Management Risk Plan should be reevaluated.</li> </ul> <p>(d) Where the entire state is closed to harvesting during traditional non-harvesting seasons:</p> <ul style="list-style-type: none"> <li>(i) The area shall be patrolled at the frequencies specified in Section B. (2) unless the Authority develops and implements a Risk Management Plan for the area for the prevention of illegal harvesting of shellfish. The Risk Management Plan shall include monitoring and control of surveillance activities (e.g., airport, dock, border, or truck surveillance) that will be used in lieu of traditional patrol activities. The Risk Management Plan shall describe the administrative procedures and resources necessary to prevent illegal harvesting and/ or the illegal commingling of the product and include at least the following: <ul style="list-style-type: none"> <li>a. Description of the area;</li> <li>b. Classification of the area;</li> <li>c. Description of adjacent growing areas; and</li> </ul> </li> </ul>
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	<p>d. If the patrol agency receives assistance from other state, federal, or tribal agencies, a memorandum of agreement must be developed describing responsibilities from each agency. A copy of such MOA must be kept in a central file.</p> <p>(ii) The area shall be patrolled in low risk areas at least once (1) per thirty (30) harvestable days, for medium risk areas at least twice (2) per thirty (30) harvestable days, and for high-risk areas at least four (4) times per thirty (30) harvestable days.</p> <p>(iii) If the Authority has current evidence that commercial illegal harvesting is occurring, the state agency shall resume patrol at the frequency specified in B. (2).</p> <p>.02 Shellstock Harvesting and Handling.</p> <p>D. Disposal of Human Sewage from Vessels.</p> <p>(1) Human sewage shall not be discharged overboard from a vessel used in the harvesting of shellstock, or from vessels which buy shellstock while the vessels are in growing areas.</p> <p><del>(2) The Authority shall educate all licensed harvesters and shellstock dealers concerning the public health significance of discharging human sewage overboard.</del></p> <p><del>(3)</del> As required by the Authority, in consultation with FDA, an approved marine sanitation device (MSD), portable toilet or other sewage disposal receptacle shall be provided on the vessel to contain human sewage.</p> <p><del>(4)</del> Portable toilets shall:</p> <p>(a) Be used only for the purpose intended;</p> <p>(b) Be secured while on board and located to prevent contamination of shellstock by spillage or leakage;</p> <p>(c) Be emptied only into a sewage disposal system; (d) Be cleaned before being returned to the boat; and</p> <p>(e) Not be cleaned in equipment used for washing or processing food.</p> <p><del>(5)</del> Use of other receptacles for sewage disposal may be approved by the Authority if the receptacles are:</p> <p>(a) Constructed of impervious, cleanable materials and have tight fitting lids; and</p> <p>(b) Meet the requirements in Section D. (3).</p>
<p>Public Health Significance</p>	<p>Chapter VIII. @.01 B. (3) (ii): More appropriate for industry to determine whether something is "economically feasible" or not.</p> <p>Chapter VIII. @.01 B. (3) (iii) (c): To maintain the pollution source requirement means that areas that are completely void of shellfish would still have to be patrolled if a pollution source exists.</p> <p>Chapter VIII. .02 D. (2): This is a Requirement for the Authority and should not appear in a section containing Requirements for Harvesters</p>
<p>Cost Information</p>	