

Proposal Subject: Revising Wet Storage and Depuration Labeling Requirements for In-shell Product to be Consistent with Chapter X. .05. B. (2) (e) Shellstock Tagging.

Specific NSSP Guide Reference: NSSP Guide Section II Model Ordinance
Chapter X. General Requirements for Dealers Section
.07 In-Shell Product or Post Harvest Processed In-Shell Labeling

Text of Proposal/ Requested Action B. In-Shell Product Tags

- (1) The dealer tag on in-shell product shall contain the following indelible, legible information in the order specified below:
 - (a) The dealer’s name and address;
 - (b) The dealer’s certification number as assigned by the Authority;
 - (c) The original shellstock shipper’s certification number. If depurated the original shellstock shipper’s certification number is not required.
 - (d) A “SELL BY DATE” which is a reasonable subsequent shelf-life or the words “BEST IF USED BY” followed by a date when the product would be expected to reach the end of its shelf-life. The date shall include, month, day and year;
 - (e) When the shellstock processed for in-shell product has been wet stored or If depurated, the wet storage or depuration cycle number or lot number. The wet storage lot number shall begin with the letter “w”;
 - (f) The most precise identification of the harvest location as is practicable including the initials of the state of harvest, and the Authority's designation of the growing area by indexing, administrative or geographic designation. If the Authority has not indexed growing areas, then an appropriate geographical or administrative designation must be used (e.g. Long Bay, Decadent County, lease number, bed, or lot number).
 - (g) When the stock processed for in-shell product has been transported across state lines and placed in wet storage in a dealer's operation, the statement: “THIS PRODUCT IS A PRODUCT OF (NAME AND STATE) AND WAS WET STORED AT (FACILITY CERTIFICATION NUMBER) FROM (DATE) TO (DATE)”;
 - (h) The type and quantity of in-shell product; and
 - (i) The following statement in bold capitalized type on each tag: "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR IS RETAGGED AND THEREAFTER KEPT ON FILE FOR 90 DAYS."
 - (j) All in-shell product intended for raw consumption shall include a consumer advisory. The following statement, from Section 3-603.11 of the Current Food Code, or an equivalent statement, shall be included on all shellstock: "Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions."
 - (k) The statement “Keep Refrigerated” The statement "Keep Refrigerated" or an equivalent statement must be included on the tag.

- (2) If the in-shell product is removed from the original container, the tag on the new container shall meet the requirements in §.07 B.

**Public Health
Significance:**

This proposal is to correct the confusion about in-shell product and wet storage by clarifying that the shellstock used in the processing of in-shell product that has been wet stored or depurated should be labeled. In-shell product once processed will not be wet stored or depurated.

Additionally, this correction will make wet storage and depuration labeling for in-shell product consistent with shellstock wet storage and depuration tagging.

**Cost Information
(if available):**

None.

**Action by 2009
Task Force II:**

Recommended no action on Proposal 09-216.

Rationale: Insufficient need.

**Action by 2009
General Assembly**

Adopted recommendation of 2009 Task Force II on Proposal 09-216.

**Action by USFDA
02/16/2010**

Concurred with Conference action on Proposal 09-216.