

Proposal Subject: Incorporating In-shell Product Concept into Model Ordinance Chapter XI.

Specific NSSP Guide Reference: NSSP Guide Section II. Model Ordinance Chapter XI. Shucking and Packing Sections:

.01 A.	.02 A. (2)	.03 A. (5) (c)
.01 C.	.02 C. (1) (b)	.03 B. (2) (a)
.01 D.	.02 E. (4) (c)	.03 F. (11)
.01 E.		

Text of Proposal/ Requested Action .01 Critical Control Points

A. Receiving Critical Control Point - Critical Limits. The dealer shall shuck and pack only ~~shellstock~~ which is:

- (1) ~~Shellstock~~ obtained from a licensed harvester who has:
 - (a) Harvested...
 - (b) Identified...
- (2) ~~Shellstock~~ obtained from a dealer other than the original harvester who has:
 - (a) Shipped...
 - (b) Identified...

- (3) In-shell product obtained from a dealer who has:**
 - (a) Shipped the in-shell product adequately iced; or in a conveyance at or below 45°F (7.2°C) ambient air temperature; or 45°F (7.2) internal temperature or less [C];**
 - (b) Identified the in-shell product with a tag on each container. [C]**

C. In-shell Product Storage Critical Control Point - Critical Limits. The dealer shall ensure that in-shell product shall be:

- (1) Iced; or [C]**
- (2) Placed and stored in a storage area or conveyance maintained at 45° F (7.2° C) or less. [C]**

~~D.~~ Processing Critical Control Point - Critical Limits. The dealer shall ensure that:

- (1)...
- (5) For in-shell product the internal temperature of meats does not exceed 45° F (7.2° C) for more than 2 hours during processing. [C]**

~~E.~~ Shucked Meat Storage Critical Control Point...

.02 Sanitation

A. Safety of Water for Processing and Ice Production.

- (2) Ice Production. Any ice used in the processing, storage, or transport of ~~shellstock~~ or ~~shucked~~ shellfish shall be made on-site from potable water in a commercial ice machine; or [C]

- C. Prevention of Cross Contamination.
 - (1) Protection of Cross Contamination.
 - (b) ~~Shucked s~~Shellfish shall be protected from contamination. [S^{C/K}]

- E. Protection from Adulterants
 - (4) Protection of ice used in shellfish processing.
 - (c) Any ice used in the processing, storage, or transport of ~~shellstock or shucked~~ shellfish shall come from a facility sanctioned by the Authority or the appropriate regulatory agency. [C]

.03 Other Model Ordinance Requirements

- A. Plants and Grounds
 - (5) Plant Interior
 - (c) All wet area floors used in areas to store ~~shellstock~~ shellfish, process food, and clean equipment and utensils shall be constructed of easily cleanable, impervious, and corrosion resistant materials which:

- B. Plumbing and Related Facilities
 - (2) Adequate floor drainage, including backflow preventers such as air gaps, shall be provided where floors are:
 - (a) Used in ~~shellstock~~ shellfish storage;

- F. Shellfish Storage and Handling

(11) Not commingle in-shell product during shucking. [K]

Public Health Significance:

This proposal is one of several that are part of an effort to incorporate the concept of in-shell product throughout the Model Ordinance. Aspects of the proposal pertaining to establishing critical limits related to in-shell product temperature control are based on language in Model Ordinance Chapter XVI. C. and Chapter XII. .01 B.

Chapter XVI. C. (Post Harvest Processing) reads:

"For the purposes of refrigeration, if the product is dead, the product shall be treated as shucked product. If the product is live, the product shall be treated as shellstock."

Chapter XII. .01 B. (Repacking of shucked shellfish) reads:

"Processing Critical Control Point - Critical Limits. The dealer shall ensure that repacked shucked shellfish do not exceed an internal temperature of 45° F (7.2° C) for more than 2 hours. [C] "

Since in-shell product is dead, it is proposed that aspects of the proposal pertaining to establishing critical limits related to in-shell product temperature control be consistent with the Chapter XVI.C concept of treating dead product as shucked product for the purposes of refrigeration. That includes proposing a processing time/temperature critical limit consistent with that of repacking of shucked product.

Cost Information (if available): None.

Action by 2009 Task Force II: Recommended adoption of Proposal 09-218 as amended.

.01 Critical Control Points

- A. Receiving Critical Control Point - Critical Limits. The dealer shall shuck and pack only:
 - (1) Shellstock obtained from a licensed harvester who has:
 - (a) Harvested...
 - (b) Identified...
 - (2) Shellstock obtained from a dealer other than the original harvester who has:
 - (a) Shipped...
 - (b) Identified...
 - (3) In-shell product obtained from a dealer who has:
 - (a) Shipped the in-shell product adequately iced; or in a conveyance at or below 45°F (7.2°C) ambient air temperature; or 45°F (7.2) internal temperature or less [C];
 - (b) Identified the in-shell product with a tag on each container. [C]

- C. In-shell Product Storage Critical Control Point - Critical Limits. The dealer shall ensure that in-shell product shall be:
 - (1) Iced; or [C]
 - (2) Placed and stored in a storage area or conveyance maintained at 45° F (7.2° C) or less. [C]

- D. Processing Critical Control Point - Critical Limits. The dealer shall ensure that:
 - (1)...
 - (5) For in-shell product the internal temperature of meats does not exceed 45° F (7.2° C) for more than 2 hours during processing. [C]

- E. Shucked Meat Storage Critical Control Point...

.02 Sanitation

- A. Safety of Water for Processing and Ice Production.
 - (2) Ice Production. Any ice used in the processing, storage, or transport of shellfish shall be made on-site from potable water in a commercial ice machine; or [C]

- C. Prevention of Cross Contamination.
 - (1) Protection of Cross Contamination.
 - (b) Shellfish shall be protected from contamination. [S^{C/K}]

- E. Protection from Adulterants
 - (4) Protection of ice used in shellfish processing.
 - (c) Any ice used in the processing, storage, or transport of shellfish shall come from a facility sanctioned by the Authority or the appropriate regulatory agency. [C]

.03 Other Model Ordinance Requirements

A. Plants and Grounds

(5) Plant Interior

- (c) All wet area floors used in areas to store shellfish, process food, and clean equipment and utensils shall be constructed of easily cleanable, impervious, and corrosion resistant materials which:

B. Plumbing and Related Facilities

- (2) Adequate floor drainage, including backflow preventers such as air gaps, shall be provided where floors are:

- (a) Used in shellfish storage;

F. Shellfish Storage and Handling

- ~~(11) Not commingle in-shell product during shucking. [K]~~

**Action by 2009
General Assembly**

Adopted recommendation of 2009 Task Force II on Proposal 09-218.

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

Concurred with Conference action on Proposal 09-218.