	Task Force Consideration 019 Biennial Meeting 1. a. ⊠ Growing Area b. □ Harvesting/Handling/Distribution c. □ Administrative
2. Submitter	Scott Berbells
3. Affiliation	Washington State Department of Health
4. Address Line 1	P.O. Box 47824
5. Address Line 2	
6. City, State, Zip	Olympia, Washington 98504-7824
7. Phone	360.236.3324
8. Fax	360.236.2257
9. Email	Scott.Berbells@doh.wa.gov
10. Proposal Subject	Laboratory approval for sample analysis with no Model Ordinance defined method or action level
11. Specific NSSP Guide Reference	Section II. Model Ordinance Chapter III. Laboratory @.01 Quality Assurance (A)
12. Text of Proposal/ Requested Action	Chapter III. @.01
	A. NSSP Conformance Required, for all laboratories supporting the NSSP. All laboratory analyses for compliance with classification requirements that require a specific method, actions level, and use defined in the Model Ordinance shall be performed by a laboratory found to conform or provisionally conform by the FDA Shellfish LEO or FDA certified State Shellfish LEO in accordance with the requirements established under the NSSP.
13. Public Health Significance	This proposed amendment to Chapter III, @.01 (A) updates the requirement related to the use of data analyzed by a laboratory that has not been certified by the FDA Shellfish LEO or FDA certified State Shellfish LEO and potentially used for regulatory purposes. The amendment allows state shellfish authorities to use non FDA approved laboratories when methods and action levels have not been defined in the Model Ordinance.
	Washington state has developed an extensive array of partnerships aimed at evaluating pollution conditions around shellfish growing areas primarily related to microbiological conditions and remediating any impacts identified. Local and state government agencies, tribes, and wastewater treatment plant operators collect data that may be used by the Shellfish Authority to manage the status of shellfish harvesting areas. Sampling activities from sewage spills, agricultural manure discharges, failing septic systems, and treatment loss at wastewater treatment plants have resulted in temporary closures of harvest areas. In turn, data collected from partner agencies has been used to identify when the pollution issue has been resolved and when the growing area can be opened. All sample analysis is completed by laboratories inspected by state regulatory agencies but have not evaluated for conformance by the FDA Shellfish LEO or FDA certified State Shellfish LEO.

Washington state periodically uses laboratory analysis to determine if shellfish and shellfish harvesting areas are impacted by poisonous and deleterious substances. Shellfish closures or consumption advisories may be implemented based on this data. There are currently no laboratories approved by FDA Shellfish LEO for the analysis of poisonous and deleterious substances.

The proposal assures that an FDA approved laboratory is required when laboratory methods and action levels are defined in the Model Ordinance and data may be used for regulatory action (marine water quality, marine biotoxins, Male Specific Coliphage).

This proposal will give state shellfish authorities the flexibility to adapt to ongoing environmental conditions and make appropriate public health decisions based on laboratory data.

Proposal No. 19-105

14. Cost Information