INTRODUCED

May 4, 2015

**S. 742**

Introduced by Medical Affairs Committee

S. Printed 5/4/15--S.

Read the first time May 4, 2015.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SHELLFISH, DESIGNATED AS REGULATION DOCUMENT NUMBER 4483, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Shellfish, designated as Regulation Document Number 4483, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

Regulation R.61‑47 was last substantively amended on June 27, 2008. The regulation contains requirements for the safe and sanitary harvesting, storing, processing, handling and transportation of molluscan shellfish (oysters and clams) to protect the health of consumers of shellfish. For South Carolina shellfish to be acceptable for interstate and international commerce, the regulation must be consistent with the requirements of the National Shellfish Sanitation Program (NSSP), as determined by the US Food and Drug Administration (FDA).

The purpose of this amendment is to improve R.61‑47 and update the regulation to be consistent with the latest version of the NSSP Guide for the Control of Molluscan Shellfish (2013). The amendments include the following changes:

(1) Times allowed from harvest to mechanical refrigeration will be modified to limit the growth of pathogens after the harvest of shellfish,

(2) A tempering plan for the gradual temperature reduction of harvested clams will be allowed to facilitate the summer harvest of clams,

(3) The frequency of confirmed Vibro‑related illnesses needed to trigger further temperature control measures will be modified,

(4) Certified reshipping facilities no longer will be required to add additional labels to shellfish containers prior to further distribution,

(5) Certified shippers will be required to receive annual training for the safe and sanitary handling of shellfish,

(6) Time‑temperature recording device will be required when shipping shellfish from one certified shipper to another certified shipper for shipments lasting greater than 4 hours, and

(7) Stylistic changes are made including corrections for spelling, clarity, readability, grammar, and codification for overall improvement of the text of the regulation.

A Notice of Drafting for this regulation was published in the *State Register* on April 25, 2014.

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