

Interstate Shellfish Sanitation Conference

Task Force III (Administrative)

Proposals for Consideration at the 2009 Biennial Meeting

*October 17 - 23, 2009
Radisson Manchester Hotel*



Proposal Number	Submitter / Proposal Subject	Page Number
05-305	Northeast Laboratory Evaluation Officers and Managers (NELEOM) <ul style="list-style-type: none"> • Post Harvest Processing Approved Laboratory Methods 	TF-III-1
05-306	Northeast Laboratory Evaluation Officers and Managers (NELEOM) <ul style="list-style-type: none"> • Approved NSSP Laboratory Tests Microbiological and Biotxin Analytical Methods 	TF-III-3
05-308	P & J Oyster Company (Alfred R. Sunseri) <ul style="list-style-type: none"> • ISSC Policy Statement on the “Consumption of Raw Oysters” 	TF-III-5
07-303	ISSC Executive Director <ul style="list-style-type: none"> • Guidance on Equivalence Criteria for Food 	TF-III-7
07-305	ISSC Executive Board <ul style="list-style-type: none"> • Press Releases 	TF-III-9
09-300	U.S. Food Service (Gregory A. Pallaske) <ul style="list-style-type: none"> • Shellfish Shippers/Reshippers in Non-Participatory States 	TF-III-10
09-301	ISSC Executive Board <ul style="list-style-type: none"> • Shellfish Sanitation Program Records 	TF-III-12
09-302	US FDA <ul style="list-style-type: none"> • Qualifications For Standardization Classroom Training 	TF-III-14
09-303	P & J Oyster Company (Alfred R. Sunseri) <ul style="list-style-type: none"> • ISSC Region Change 	TF-III-15
09-304	P & J Oyster Company (Alfred R. Sunseri) <ul style="list-style-type: none"> • ISSC Task Force I Membership Change 	TF-III-16
09-305	P & J Oyster Company (Alfred R. Sunseri) <ul style="list-style-type: none"> • ISSC Executive Board Membership Change 	TF-III-17
09-306	P & J Oyster Company (Alfred R. Sunseri) <ul style="list-style-type: none"> • ISSC Executive Board Term Limits 	TF-III-18
09-307	P & J Oyster Company (Alfred R. Sunseri) <ul style="list-style-type: none"> • ISSC Constitutional Cost-Benefit Requirement for New Proposals that have a Significant Financial Impact on the States and Shellfish Industry 	TF-III-19
09-308	ISSC Executive Office <ul style="list-style-type: none"> • Executive Board, Officers, Committees 	TF-III-20
09-001	Pacific Rim Shellfish Sanitation Conference (PAC RIM) <ul style="list-style-type: none"> • Educational Outreach Common Carrier Associations 	TF-III-21

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	John Karolus	
Affiliation:	Northeast Laboratory Examination Officers and Laboratory Management (NELEOM)	
Address:	Connecticut State Department of Agriculture Bureau of Agriculture PO Box 97 Milford, CT 06460	
Phone:	203-874-0696	
Fax:	203-783-9976	
Email:	jjkarolus@snet.net	
Proposal Subject:	Laboratory Methods	
Specific NSSP Guide Reference:	NSSP Guide Model Ordinance Chapter XVI. Post-Harvest Processing A. (1) (a)	
Text of Proposal/ Requested Action	<p>2003 NSSP Model Ordinance Chapter XVI Post Harvest Processing A (1) (a)</p> <p>For processes that target <i>Vibrio vulnificus</i>, the level of <i>Vibrio vulnificus</i> in the product that has been subjected to the process shall be non-detectable (<30 MPN/gram), to be determined by the use of the Vibrio vulnificus FDA approved EIA procedure of Tamplin, et al., as described in Chapter 9 of the FDA Bacteriological Analytical Manual, 7th Edition, 1992, or other methods approved by the Laboratory Methods Review Committee for NSSP use.</p> <p>It has been reported by laboratories that the reagents for the Tamplin EIA test are not readily available. Other testing procedures are needed to do perform the analysis of <i>Vibrio vulnificus</i>. However, since not all methods listed in the <i>Bacteriological Analytical Manual</i> (BAM) are collaboratively tested and approved, methods that appear in the BAM cannot be accepted into the program based solely on the method's inclusion in the BAM. The Laboratory Methods Review Committee must review laboratory methods that are to be accepted into the ISSC program.</p>	
Public Health Significance:	Laboratory methods detecting the direct or indirect presence of human pathogens must be proven to consistently work at various laboratories throughout the country and in participating MOU countries. Detailed review of scientific data (preferably from collaborative studies) by the Laboratory Methods Review Committee must be done.	
Cost Information (if available):	None	
Action by 2005 Task Force III	Recommended referral of Proposal 05-305 to the Executive Board to investigate ISSC approaches to adopting laboratory methods for use in the NSSP.	
Action by 2005 General Assembly	Adopted recommendation of 2005 Task Force III.	
Action by ISSC Executive Board August 19, 2005	Recommended appointment of a workgroup to determine what the role of the ISSC should be in adoption of laboratory methods. The workgroup is also directed to look at similar conferences' procedures regarding laboratory methods approval. The workgroup will report their findings to the Executive Board at the March 2006 meeting.	

Action by USFDA	Concurred with Conference action.
Action by 2007 Laboratory Methods Review Committee	Recommended referral of Proposal 05-305 to an appropriate committee as determined by the Conference Chairman.
Action by 2007 Task Force III	Recommended adoption of Laboratory Methods Review Committee recommendation on Proposal 05-305.
Action by 2007 General Assembly	Adopted recommendation of 2007 Task Force III.
Action by USFDA	December 20, 2007 Concurred with Conference action.

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	John Karolus	
Affiliation:	Northeast Laboratory Examination Officers and Laboratory Management (NELEOM)	
Address:	Connecticut State Department of Agriculture Bureau of Agriculture PO Box 97 Milford, CT 06460	
Phone:	203-874-0696	
Fax:	203-783-9976	
Email:	jjkarolus@snet.net	
Proposal Subject:	Laboratory Methods	
Specific NSSP Guide Reference:	Section III Public Health Reasons and Explanation, Chapter III Laboratory @ .02 Methods	
Text of Proposal/ Requested Action	<p>American Public Health Association (APHA) Recommended Procedures for the Examination of Seawater and Shellfish shall be followed for the collection, transportation, and examination of samples of shellfish and shellfish waters. The official references of the NSSP for the examination of shellfish for <i>Vibrio cholerae</i>, <i>V. vulnificus</i>, and <i>V. parahaemolyticus</i> is the FDA Bacteriological Analytical Manual (BAM) are the methods approved by the Laboratory Methods Review Committee and listed in Guidance Documents Chapter II. Growing Areas .10 Approved National Shellfish Sanitation Program Laboratory tests: Microbiological and Biotoxin Analytical Methods.</p> <p>Since not all methods listed in the Bacteriological Analytical Manual (BAM) are collaboratively tested and approved, methods that appear in the BAM cannot be accepted into the program based solely on the method's inclusion in the BAM. The Laboratory Methods Review Committee must review laboratory methods that are to be accepted into the ISSC program.</p>	
Public Health Significance:	Laboratory methods detecting the direct or indirect presence of human pathogens must be proven to consistently work at various laboratories throughout the country and in participating MOU countries. Detailed review of scientific data (preferably from collaborative studies) by the Laboratory Methods Review Committee must be done.	
Cost Information (if available):	None	
Action by 2005 Task Force III	Recommended referral of Proposal 05-306 to the Executive Board to investigate ISSC approaches to adopting laboratory methods for use in the NSSP.	
Action by 2005 General Assembly	Adopted recommendation of 2005 Task Force III.	
Action by ISSC Executive Board August 19, 2005	Recommended appointment of a workgroup to determine what the role of the ISSC should be in adoption of laboratory methods. The workgroup is also directed to look at similar conferences' procedures regarding laboratory methods approval. The workgroup will report their findings to the Executive Board at the March 2006 meeting.	
Action by USFDA	Concurred with Conference action.	

Action by 2007 Laboratory Methods Review Committee	Recommended referral of Proposal 05-306 to an appropriate committee as determined by the Conference Chairman.
Action by 2007 Task Force III	Recommended adoption of Laboratory Methods Review Committee recommendation on Proposal 05-306.
Action by 2007 General Assembly	Adopted recommendation of 2007 Task Force III.
Action by USFDA	December 20, 2007 Concurred with Conference action.

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Alfred R. Sunseri	
Affiliation:	P & J Oyster Company, Inc.	
Address:	1039 Toulouse Street New Orleans, LA 70112	
Phone:	504-523-2651	
Fax:	504-529-7966	
Email:	asunseri@bellsouth.net	
Proposal Subject:	ISSC Policy Statement on the "Consumption of Raw Oysters"	
Specific NSSP Guide Reference:	Section VI. NSSP Policy Setting Documents, ISSC Policy Statement, Paragraph 3	
Text of Proposal/ Requested Action	<p>"Certain medically compromised individuals are at increased risk from common marine bacteria that are unrelated to pollution. Therefore, it may not be possible to address this risk through environmental controls. Although the reported number of illnesses and fatalities from these bacteria in the United States each year is small in comparison with other food borne illnesses, <u>shellfish that have been processed to reduce the levels of all pathogens of public health concern to safe levels can be eaten by the at-risk population or the at-risk population should eat molluscan shellfish fully cooked or, total abstinence from raw molluscan shellfish is the best advice for medically compromised.</u>"</p>	
Public Health Significance:	<p>This new ISSC policy setting language for the consumption of raw oysters will confirm the use of the labeling allowed for PHP shellfish listed in Chapter XVI. This new policy statement language will show the ISSC supports PHPs and that medically compromised individuals can choose safer post harvest processed shellfish rather than consume other raw shellfish that has not undergone a PHP and/or eat shellfish fully cooked.</p>	
Cost Information (if available):	None	
Action by 2005 Task Force III	Recommended referral of Proposal 05-308 to an appropriate committee as determined by the Conference Chairperson to investigate the possibility of a change to the ISSC Policy Statement on the Consumption of Raw Molluscan Shellfish.	
Action by 2005 General Assembly	Adopted recommendation of 2005 Task Force III.	
Action by USFDA	Concurred with Conference action.	
Action by 2007 Executive Board	Executive Board directed the Executive Director to discuss the ISSC Consumption Policy with the FDA. These discussions were not productive in identifying meaningful language for incorporating changes to the Policy Statement.	
Action by 2007 Task Force III	Recommended no action on the proposed changes to the ISSC Policy Statement on the Consumption of Raw Molluscan Shellfish but, recommends the Executive Board continue to pursue ways to acknowledge Post Harvest Processing in the National Shellfish Sanitation Program.	
Action by 2007 General Assembly	Adopted recommendation of 2007 Task Force III.	

Action by USFDA	December 20, 2007 Concurred with Conference action.
----------------------------	--

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	ISSC Executive Director	
Affiliation:	Interstate Shellfish Sanitation Conference	
Address:	209-2 Dawson Road Columbia, SC 29223	
Phone:	803-788-7559	
Fax:	803-788-7576	
Email:	issc@issc.org	
Proposal Subject:	Guidance on Equivalence Criteria for Food	
Specific NSSP Guide Reference:	N/A	
Text of Proposal/ Requested Action	<p>Under Article 4 of the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) (the SPS Agreement), each member nation of the WTO, including the United States, is obligated to accept as equivalent a food regulatory system of another country if it provides the same level of health protection as is provided to consumers by its own system.</p> <p>Equivalent regulatory systems need not be identical. Under the concept of equivalence, the “sanitary or phytosanitary measures” used by an exporting country may differ from the measures applied domestically by an importing country as long as these measures “achieve the importing Member’s appropriate level of sanitary or phytosanitary protection”.</p> <p>Under the SPS Agreement, the burden of demonstrating that equivalence exist rest with the exporting country. The exporting country has the right to decide for itself whether the regulatory system of the exporting country is equivalent to its own or is inadequate to achieve “the importing Member’s appropriate level of sanitary or phytosanitary protection,” or that inadequate evidence has been provided to demonstrate equivalence.</p> <p>One of the roles of the USFDA in the National Sanitation Shellfish Program (NSSP) is the evaluation of foreign programs and the establishment of MOU’s with countries that meet the requirements of the NSSP. This responsibility of FDA is outlined in IV. A. 4. of the ISSC/FDA Memorandum of Understanding, March 14, 1984. Article 4 of the WTO Agreement obligates the FDA to accept equivalency in foreign programs. The Agreement requires that the USFDA consider acceptance of foreign shellfish safety programs that, while having a system of sanitary measures that differ from those applied domestically, are recognized as providing an equivalent level of public health protection.</p> <p>The FDA is seeking input from the ISSC for purposes of incorporating the concept of equivalency into the NSSP. Recognizing that FDA has a clear obligation under the WTO Agreement to take responsibility for equivalency determination, it is important to the Agency that this responsibility be recognized within the NSSP.</p>	
Public Health Significance:	N/A	
Cost Information (if available):	N/A	
Action by 2007 Task Force III	Recommended referral of Proposal 07-303 to Executive Board for developing short term and long term approaches to incorporating equivalency into the NSSP and the ISSC.	

Action by 2007 General Assembly	Adopted recommendation of 2007 Task Force III.
Action by USFDA	December 20, 2007 Concurred with Conference action.

Proposal for Task Force Consideration at the 2009 Biennial Meeting		<input type="checkbox"/> Growing Area
Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Harvesting/Handling/Distribution
		<input checked="" type="checkbox"/> Administrative
Name of Submitter:	ISSC Executive Board	
Affiliation:	Interstate Shellfish Sanitation Conference	
Address:	209-2 Dawson Road Columbia, SC 29223	
Phone:	803-788-7559	
Fax:	803-788-7576	
Email:	issc@issc.org	
Proposal Subject:	Press Releases	
Specific NSSP Guide Reference:	NSSP Section II Model Ordinance Chapter II. Risk Assessment and Risk Management	
Text of Proposal/ Requested Action	<p>The US FDA issued press releases associated with outbreaks in the Pacific Northwest in the summer of 2006 and in Texas in March of 2007. These press releases created concern regarding the appropriateness and effectiveness of press releases as a public health measure to address an illness outbreak.</p> <p>Use of press is to inform consumers.</p> <p>The ISSC Executive Board discussed the issuance of these press releases and directed the formation of a working group to further investigate and review the use of press by state and federal agencies. The workgroup is to look for ways to coordinate use of press and provide recommendations for discussion at the 2007 Biennial Meeting.</p>	
Public Health Significance:		
Cost Information (if available):		
Action by 2007 Use of Press Committee	Recommended that this Committee continue its deliberations and that a meeting be held in January 2008 in conjunction with appropriate FDA officials and report back to the Executive Board in March 2008. In the interim FDA will consult with the involved state regulatory agency on the content and timing of the release of press.	
Action by 2007 Task Force III	Recommended adoption of the Press Release Committee recommendation on Proposal 07-305.	
Action by 2007 General Assembly	Adopted recommendation of 2007 Task Force III.	
Action by USFDA	December 20, 2007 Concurred with Conference action.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Gregory A. Pallaske	
Affiliation:	U.S. Foodservice	
Address:	6133 N River Rd Suite 300 Rosemont, IL 60018	
Phone:	847.232.5884	
Fax:	847.232.5849	
Email:	greg.pallaske@usfood.com	
Proposal Subject:	Approval of Shellfish Shippers/Reshippers in Non-Participatory States	
Specific NSSP Guide Reference:	1. ISSC Constitution, Bylaws, and Procedures Definitions 2. NSSP Guide Section II. Model Ordinance Definitions B. Definition of Terms (7) 3. NSSP Guide Section II. Model Ordinance Chapter I. Shellfish Sanitation Program @.01 Administration B. State Laws & Regulations 4. NSSP Guide Section II. Model Ordinance Chapter I. Shellfish Sanitation Program @.02 Dealer Certification A. General (1)	
Text of Proposal/ Requested Action	1. ISSC Constitution, Bylaws, and Procedures Definitions Add a new definition: NON-PARTICIPATING STATE – any state that chooses not to participate in the NSSP. [Subsequent definitions will need to be renumbered.] 2. NSSP Guide Section II. Model Ordinance Definition of Terms B. Definition of Terms (7) Authority means the State or local shellfish control authority or authorities or its designated agents, which are responsible for the enforcement of this code. In NON-PARTICIPATING STATES, Authority shall mean the FDA Office of Seafood or its designated agents. 3. NSSP Guide Section II. Model Ordinance Chapter I. Shellfish Sanitation Program @.01 Administration B. State Laws and Regulations. The Authority shall have laws and regulations which provide an adequate legal basis for the safety and sanitary control of all program elements including but not limited to the elements outlined in @.01 A. If the Authority is the FDA Office of Seafood, the laws and regulations shall be the NSSP Model Ordinance. 4. NSSP Guide Section II. Model Ordinance Chapter I. Shellfish Sanitation Program @.02 Dealer Certification A. General (1) (1) A person requesting certification shall be subject to a comprehensive, onsite inspection and meet the criteria in §B. or §C., as appropriate. The plant inspection shall be conducted by the state shellfish standardization inspector, using the appropriate inspection form, within the 120 day period. In NON-PARTICIPATING STATES, the inspection shall be conducted by an agent of the FDA Office of Seafood.	

	<p>Certain seafood products are controlled under the National Shellfish Sanitation Act (NSSA), which includes the Interstate Certified Shellfish Shippers List (ICSSL). Any business or individual involved in the sale or resale of shellfish across a state or international border must be included in the ICSSL. The FDA has formalized this in the FDA Model Food Code for a number of years in Section 3-201.15 (B) that states "Molluscan Shellfish received in interstate commerce shall be from sources that are listed in the Interstate Certified Shellfish Shippers Guide".</p> <p>While the rules and requirements of the Shellfish Sanitation Act are federal in scope, they are administered by the individual states. Participation by each state is voluntary- there is no requirement that a state administer the program, and in fact only 35 states plus the District of Columbia currently do so. Any food distributor or wholesaler located in the remaining 15 states that do not participate cannot be listed on the ICSSL, and therefore cannot legally ship products covered by this act across state lines.</p> <p>While there are several possible solutions, the most efficient appears to be allowing FDA Shellfish Specialists to approve facilities in states that do not participate. While the FDA prefers that all states participate, non-producing states have little incentive to incur the expense and time of training (or simply do not have the personnel). The changes below are designed to change the regulations to allow such activities by the FDA.</p>
<p>Public Health Significance:</p>	<p>Currently, a shipper or reshipper in a non-participating state has no recourse. The only option is to not ship across any state lines, thereby causing a loss of business both directly and indirectly.</p> <p>Or, a shipper can ignore the law and hope they do not get caught. This latter recourse means shellfish are being shipped interstate from facilities that have not been approved for such actions This reduces the effectiveness of the law, designed to ensure safe shellfish handling from harvest through consumption.</p> <p>Further, the flaw in this rule, which sets a requirement but does not ensure the ability to meet such requirement, weakens the overall opportunity for industry and regulators to work as partners in protecting public health. Both the International Food Distributors Association (IFDA) and the National Conference for Food Protection (NCFP) are supporting this issue.</p> <p>Therefore we are requesting that ISSC work with the FDA so that any reshipper desiring to move product across state lines is afforded the opportunity for inspection and inclusion on the ICSSL.</p>
<p>Cost Information (if available):</p>	<p>The only cost is to the FDA which will be required to provide inspections to firms in non-participating states.</p>

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	ISSC Executive Board	
Affiliation:	ISSC	
Address:	209-2 Dawson Road Columbia, SC 29223-1740	
Phone:	803-788-7559	
Fax:	803-788-7576	
Email:	issc@issc.org	
Proposal Subject:	Shellfish Sanitation Program Records	
Specific NSSP Guide Reference:	Section II. Model Ordinance Chapter I. Shellfish Sanitation Program Requirements for the Authority @.01 Administration C. Records	
Text of Proposal/ Requested Action	<p>A. Scope. The Authority shall establish a statewide shellfish safety and sanitation program to regulate:</p> <ol style="list-style-type: none"> (1) The classification of shellfish growing areas; (2) The harvesting of shellfish; (3) Shellfish processing procedures and facilities; (4) Product labeling; (5) Storage, handling and packing; (6) Shellfish shipment in interstate commerce; (7) Shellfish dealers; and (8) Bivalve aquaculture. <p>B. State Laws and Regulations. The Authority shall have laws and regulations which provide an adequate legal basis for the safety and sanitary control of all program elements including but not limited to the elements outlined in @.01 A.</p> <p>C. Records. The Authority shall maintain records to demonstrate the effective administration of a statewide shellfish safety and sanitation program. These records shall be maintained in a central file and made available physically and/or electronically to any interested person upon request, consistent with appropriate state and federal law.</p> <p><u>(1) Electronically means in a common electronic file format for text, spreadsheet, portable document format (PDF), and geographic (map) information.</u></p> <p><u>(2) Records to be made available electronically include:</u></p> <ol style="list-style-type: none"> <u>(a) Outbreak Growing Area Summary Report (Chapter II. @.01 H. (3))</u> <u>(b) Growing Area Investigation Report (Chapter II. @.02 B.)</u> <u>(c) Growing Area Risk Assessment (Chapter II. @.02 D. (1) and (2) (a) (i))</u> <u>(d) Growing Area Management Plan – Human Pathogens (Chapter II. @.02 D. (2) (d) (i) (iii) and (3) (b) (iii))</u> <u>(e) Growing Area Management Plan – Toxic Substances (Chapter II @.02 D.)</u> <u>(f) Sanitary Survey and Supporting Documentation (Chapter IV. @.01 A. (3))</u> <u>(g) Pollution Sources (Chapter IV. @.01 A. (4))</u> <u>(h) Growing Area List and Maps (Chapter IV. @.01 A. (5))</u> <u>(i) Shoreline Survey (Chapter IV. @.01 D.)</u> <u>(j) Growing Area Classification (Chapter IV. @.03)</u> <u>(k) Growing Area Management Plan - Conditional Area (Chapter IV.</u> 	

	<p style="text-align: center;"><u>@.03 C. (2)</u> <u>(l) Marine Biotoxin Contingency Plans (Chapter IV. @.04 A. (1) and E.)</u> <u>(m) Shellfish Aquaculture Records (Chapter VI. @.01)</u></p> <p>D. Shared Responsibilities. If more than one agency is involved in the administration of the statewide shellfish safety and sanitation program, memoranda of agreement shall be developed between the agencies to define each agency's responsibilities.</p> <p>E. Administrative Procedures. The Authority shall have administrative procedures sufficient to:</p> <ol style="list-style-type: none"> (1) Regulate shellfish harvesting, sale, or shipment; and (2) Ensure that all shellfish shipped in interstate commerce originate from a dealer located within the state from which the shellstock are harvested or landed, unless the Authority has a memorandum of understanding with the Authority in another State to allow dealers from its state to purchase the shellstock. (3) Detain, condemn, seize, and embargo shellfish. (4) Assure compliance with Shellfish Plant Inspection Standardization. <p>F. Epidemiologically Implicated Outbreaks of Shellfish-Related Illness. The Authority shall have procedures for investigating incidents of shellfish borne disease.</p> <p>G. Commingling.</p> <ol style="list-style-type: none"> (1) Except for any shellstock included in the Authority's commingling plan, the Authority shall not permit the commingling of shellstock. (2) If the Authority permits shellstock commingling, the Authority shall develop a commingling management plan. The plan shall: <ol style="list-style-type: none"> (a) Minimize the commingling dates of harvest and growing areas; (b) Define a primary dealer; (c) Limit the practice of commingling to primary dealers; (d) Limit commingling to shellstock harvested from specific growing areas within the State as identified by the Authority and purchased directly from harvesters; and (e) Define how the commingled shellstock will be identified.
Public Health Significance:	N/A
Cost Information (if available):	N/A

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	US Food and Drug Administration	
Affiliation:	US Food and Drug Administration	
Address:	5100 Paint Branch Parkway College Park, MD 20740	
Phone:	(301) 436-1410	
Fax:	(301) 436-2601	
Email:	Paul.Distefano@fda.hhs.gov	
Proposal Subject:	Qualifications for Standardization	
Specific NSSP Guide Reference:	NSSP Guide Section IV. Guidance Documents Chapter III. Harvest, Handling, Processing, Distribution .02 Shellfish Plant Inspection Standardization Procedures	
Text of Proposal/ Requested Action	Chapter 3 – Qualifications for Standardization <ul style="list-style-type: none"> • Classroom Training – Prior to field standardization, the <i>Candidate</i> must successfully complete the following courses: <ul style="list-style-type: none"> • 3 or 2 day Seafood Alliance HACCP (Basic Seafood HACCP) • 2 day Seafood Regulators Training • FD 1040 Basic Shellfish Plant Sanitation; and • FD 2041 Shellfish State Standardization Officer Training (not recommended for State Standardized inspectors unless specifically offered) 	
Public Health Significance:	The 2-Day Seafood Regulator Training course has been replaced with FD249 Conducting Seafood Inspections. This is a completely revamped course that now focuses on training FDA and state contracted inspectors on the proper way to conduct a Seafood HACCP inspection. This new course does not mention Molluscan shellfish, nor does it help train a standardization officer candidate on how to conduct a shellfish inspection. Currently all FDA Shellfish Specialists, as well as, State Standardization Officers are required to successfully complete the FD241 Shellfish State Standardization Officer Training course. This course teaches attendees how to conduct a shellfish inspection, as well as, how to properly mark the NSSP Shellfish Inspection Form. Therefore, the Conducting Seafood Inspections course will be costly and ineffective based on the cooperative design and implementation aspects of the Shellfish Program. FDA does however believe the new FD249 Conducting Seafood Inspections course to be a very well laid out and good course and would encourage all FDA Shellfish Specialists and State Standardization Officers to take the training when possible.	
Cost Information (if available):	No additional cost. This will save states and FDA money by not having to send inspectors to this training.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Alfred R. Sunseri	
Affiliation:	P & J Oyster Company, Inc.	
Address:	1039 Toulouse Street New Orleans, LA 70112	
Phone:	504-523-2651	
Fax:	504-529-7966	
Email:	asunseri@bellsouth.net	
Proposal Subject:	ISSC Region Change	
Specific NSSP Guide Reference:	Specific ISSC Constitution, By-Laws and Procedures Reference: Amendment to Constitution: Definitions	
Text of Proposal/ Requested Action	ISSC REGION - geographical grouping of shellfish producing states with similar characteristics and interests, established to provide for fairly distributed representation. The ISSC Regions shall be: <u>Region 1 - Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia</u> <u>Region 2 - Florida, Alabama, Mississippi, Louisiana, Texas</u> <u>Region 3 - Alaska, Washington, Oregon, California, Hawaii</u>	
Public Health Significance:	The region changes submitted in this proposal reflect the true regions of the shellfisheries the U.S. This distribution of regional representation will be more accurate and fair as this conference currently exists.	
Cost Information (if available):	No cost to implement change in Constitution.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Alfred R. Sunseri	
Affiliation:	P & J Oyster Company, Inc.	
Address:	1039 Toulouse Street New Orleans, LA 70112	
Phone:	504-523-2651	
Fax:	504-529-7966	
Email:	asunseri@bellsouth.net	
Proposal Subject:	Task Force I membership change	
Specific NSSP Guide Reference:	Specific ISSC Constitution, By-Laws and Procedures Reference: Amendment to By-Laws: ARTICLE I. Section 2. & subdivision b.	
Text of Proposal/ Requested Action	<p>Section 2. Each Task Force shall have a total voting membership of eight (8) members, <u>except for Task Force I which shall have a voting membership of six (6)</u> to be appointed by the Board Chairperson with the approval of the Board.</p> <p>Subdivision b. Three (3) of the state shellfish control authority members shall be from producing states and one (1) shall be from a non-producing state, except for Task Force I where at least four (4) <u>three (3)</u> shellfish control authority members <u>and three (3) industry members</u> shall be from producing states. Prior to the March Board meeting, the industry and regulatory Board member from each region may submit a list of Task Force nominees of up to three (3) candidates each per Task Force to the Board Chairperson. The Board Chairperson shall appoint a member from each ISSC Region to each Task Force from the list of candidates submitted. The Board shall approve the candidates selected. In the absence of any nominees submitted from a region, the Board Chairperson, with Board approval, shall appoint the Task Force member.</p>	
Public Health Significance:	This proposal will correct membership for Task Force I that deals with growing waters that affect the producing States.	
Cost Information (if available):	No cost to implement change in Constitution.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Alfred R. Sunseri	
Affiliation:	P & J Oyster Company, Inc.	
Address:	1039 Toulouse Street New Orleans, LA 70112	
Phone:	504-523-2651	
Fax:	504-529-7966	
Email:	asunseri@bellsouth.net	
Proposal Subject:	Board Membership Change	
Specific NSSP Guide Reference:	Specific ISSC Constitution, By-Laws and Procedures Reference: Amendment to Constitution: ARTICLE IV. Section 2.	
Text of Proposal/ Requested Action	The Board shall be comprised of eighteen (18) twelve (12) voting members selected as follows:(a) six (6) three (3) state shellfish control authority members elected from the producing states, one (1) from each of the ISSC Regions; (b) three (3) state shellfish control authority members elected at large from the non-producing states; (c) six (6) three (3) members elected from industry, one (1) from each of the ISSC Regions; (d) one (1)member designated by the United States Food and Drug Administration; (e) one (1)member designated by the National Marine Fisheries Service; and (f) one (1) member designated by the United States Environmental Protection Agency.	
Public Health Significance:	This proposal will reduce the size of the Board while it will reflect the true regions of the shellfisheries in the U.S. This distribution of regional representation will be more accurate and fair as this conference currently exists.	
Cost Information (if available):	No cost to implement change in Constitution.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Alfred R. Sunseri	
Affiliation:	P & J Oyster Company, Inc.	
Address:	1039 Toulouse Street New Orleans, LA 70112	
Phone:	504-523-2651	
Fax:	504-529-7966	
Email:	asunseri@bellsouth.net	
Proposal Subject:	ISSC Board Term limits	
Specific NSSP Guide Reference:	Specific ISSC Constitution, By-Laws and Procedures Reference: Amendment to Constitution: Article IV. Executive Board, Officers, Committees, Section 7.	
Text of Proposal/ Requested Action	Section 7. Elected Board members shall serve four-year terms. Terms of the elected Board members shall expire at the end of the voting general assembly of the regular Biennial Conference meeting. <u>Board members may succeed themselves, unless re-election would extend the total terms of consecutive service to more than twelve (12) years. This requirement shall become retroactive following the close of the 2009 Bi-Annual ISSC meeting.</u>	
Public Health Significance:	Many members of the ISSC Board have been on the Board for over 3 terms. A requirement to have term limits for Board members would encourage members other than those currently on the Board to take a more active role in the ISSC. Term limits would also encourage fresh thinking and new ideas as well as reduce the power of a few members that have served on the Board for over 10 years. This action would copy the requirement set forth under the National Conference on Interstate Milk Shipments Constitution.	
Cost Information (if available):	No cost to implement change in Constitution.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	Alfred R. Sunseri	
Affiliation:	P & J Oyster Company, Inc.	
Address:	1039 Toulouse Street New Orleans, LA 70112	
Phone:	504-523-2651	
Fax:	504-529-7966	
Email:	asunseri@bellsouth.net	
Proposal Subject:	ISSC Constitutional Cost-Benefit Requirement for new Proposals that have a significant financial impact on the States and Shellfish Industry	
Specific NSSP Guide Reference:	Specific ISSC Constitution, By-Laws and Procedures Reference: Amendment to Constitution Article XIII New Section 4.	
Text of Proposal/ Requested Action	<p>Section 3. Proposals submitted by any Conference participants requiring Conference action are to be referred to the Executive Director for assignment to the appropriate Task Force.</p> <p><u>Section 4. Proposals submitted by any Conference participant that may have a significant cost to implement by either the SSCA or the Shellfish Industry must include an independent Cost-Benefit Analysis and an Economic Impact Study.</u></p> <p>Section -4 5. The Executive Director shall review and assign all problems or proposals received for Task Force and Conference deliberation. Problem or proposal assignment shall be made according to subject matter and in accordance with Article XIII. <u>Section 4.</u> Section 5.,Section 6., and Section 7. of the Constitution of the Conference.</p>	
Public Health Significance:	Cost-Benefit Analyses and Economic Impact Studies are required by Federal and State Agencies prior to imposing new regulations. For too many years the ISSC through amendments made to the NSSP without any regards to the costs imposed on the SSCA and Shellfish Industry to implement the new guidelines.	
Cost Information (if available):	The cost to conduct Cost-Benefit Analyses and Economic Impact Studies will be much less on the SSCA'S and Shellfish Industry than the cost to implement by the SSCA's or the Shellfish Industry.	

Proposal for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference		<input type="checkbox"/> Growing Area <input type="checkbox"/> Harvesting/Handling/Distribution <input checked="" type="checkbox"/> Administrative
Name of Submitter:	ISSC Executive Office	
Affiliation:	Interstate Shellfish Sanitation Office	
Address:	209-2 Dawson Road Columbia, SC 29223	
Phone:	803-788-7559	
Fax:	803-788-7576	
Email:	issc@issc.org	
Proposal Subject:	Executive Board, Officers, Committees	
Specific NSSP Guide Reference:	Constitution, Bylaws, and Procedures, Article IV. Section 8.	
Text of Proposal/ Requested Action	Section 8. The Board shall elect a Chairperson and Vice-Chairperson for a two (2) year term at the Executive Board meeting following the voting general assembly of the regular Biennial Conference meeting. New officers shall take office at the beginning of the March Spring Executive Board meeting.	
Public Health Significance:	N/A	
Cost Information (if available):	No cost to implement change in Constitution.	

Resolution Submission for Task Force Consideration at the 2009 Biennial Meeting Interstate Shellfish Sanitation Conference	<input type="checkbox"/> General Assembly <input type="checkbox"/> Executive Board
Name of Submitter:	Pacific Rim Shellfish Sanitation Conference
Affiliation:	Pacific Rim Shellfish Sanitation Conference
Address:	12501 Yelm Hwy Se Olympia, WA 98513
Phone:	360-438-8687
Fax:	360-438-8742
Email:	kphelps@nwifc.org
Resolution Subject:	Educational Outreach Common Carrier Associations
Text of Resolution	<p><i>Whereas</i>, the National Shellfish Sanitation Program, (NSSP), was developed in 1925 when the U. S. Public Health Service responded to a request for assistance from local and state public health officials in controlling disease associated with the consumption of raw shellfish, and</p> <p><i>Whereas</i>, each shellfish shipping state has adopted adequate laws and regulations for sanitary control of the shellfish industry, completed sanitary surveys of harvest areas, delineated and patrolled restricted areas, inspected shellfish plants, and conducted such additional inspections, laboratory investigations, and control measures as were necessary to insure that the shellfish reaching the consumer had been grown, harvested and processed in a sanitary manner, and</p> <p><i>Whereas</i>, the shellfish industry has cooperated by obtaining shellfish from safe sources, by providing plants which met the agreed upon sanitary standards, by maintaining sanitary operating conditions, by placing the proper certificate number on each package of shellfish, and by keeping and making available to the control authorities records which showed the origin and disposition of all shellfish, and</p> <p><i>Whereas</i>, in 1982, a delegation of state officials met in Annapolis, Maryland and formed the Interstate Shellfish Sanitation Conference (ISSC), that is composed of state shellfish regulatory officials, industry officials, FDA, and other federal agencies, and</p> <p><i>Whereas</i>, the ISSC has provided a forum for state shellfish regulatory officials, industry officials, FDA, and other federal agencies, to establish uniform national guidelines and to exchange information regarding sources of safe shellfish, and</p> <p><i>Whereas</i>, under the guidance of the ISSC, the NSSP has lead the United States in the prevention of food-borne illnesses by requiring the States, to monitor bacteriological water quality of shellfish growing areas, to label shellfish with exact growing area information for trace-back purposes, to inspect and certify shellfish processing facilities, to require refrigeration of shellfish to reduce the growth of food-borne pathogens, and</p> <p><i>Whereas</i>, shellfish dealers are required by the NSSP to ensure that shellfish is shipped under proper temperature control to prevent possible pathogen growth, especially natural marine pathogens such as <i>Vibrio vulnificus</i> and <i>Vibrio parahaemolyticus</i> that have substantial growth based on temperature, and</p>

	<p><i>Whereas</i>, common carriers are exempt from the time-temperature control requirements of the Model Ordinance, causing most dealers to be concerned if the shellfish products shipped via these carriers are maintained at proper temperatures and</p> <p><i>Be it Resolved</i> that the ISSC acknowledge that managing pathogen growth comes from proper temperature control and maintaining this proper temperature control is of concern for dealers who ship shellfish including shipping via common carriers,</p> <p><i>Be it Further Resolved</i> that the ISSC will extend an educational outreach to Common Carrier Associations to express these concerns in a letter to Common Carrier Associations detailing the need for proper temperature control for shipping shellfish,</p> <p><i>Be it Further Resolved</i> that the ISSC will extend an educational outreach to Common Carrier Associations to express these concerns by promoting the attendance of an Executive Board member to attend Common Carrier Association Conferences as they may occur and as executive board budget allows.</p>
--	---