

**Section II. Model Ordinance
Chapter IX. Transportation**

Requirements for the Authority

@.01 General.

- A. The Authority shall apply these requirements to all shellfish shipped in interstate commerce.
- B. The Authority shall assure that:
 - (1) Shellfish are transported and maintained in accordance with the requirements of this Chapter; and
 - (2) Shellfish shipments originate from a dealer.
- C. The Authority shall use the temperatures included in the sections below entitled @.02 Shipment Acceptability, @.03 Shipment Rejection, and @.04 Bacteriological Examination of Shellfish Shipments as the initial basis for taking regulatory action against any shellfish shipment in interstate commerce.
- D. If an interstate shipment of shellfish is monitored, the monitoring shall take place within 24 hours of the shellfish entering the State.

@.02 Shipment Acceptability.

Shellfish shipments shall be considered acceptable when:

- A. Shipments are properly identified with tags and/or labels and shipping documents;
- B. Shellstock is alive and cooled to an internal shellstock body temperature of 50° Fahrenheit (10 ° Centigrade) or less;
- C. Shucked shellfish and in-shell product are cooled to a temperature of 45° Fahrenheit (7.2 ° Centigrade) or less; and
- D. The time-temperature indicating device shows that the ambient air temperature has exceeded 45° Fahrenheit (7.2 ° Centigrade) but the shellstock internal body temperature is 50 ° Fahrenheit (10 ° Centigrade) or less; and
- E. All other conditions of shipment in this Chapter are met.

Additional Guidance - Section IV Guidance Documents

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@.03 Shipment Rejection.

- A. Shellfish shall be rejected when:
 - (1) Shellfish are not properly identified with tags or shipping documents;
 - (2) The internal shellstock body temperature exceeds 60° Fahrenheit (15.6 Centigrade) unless the harvest initiation time can be documented and indicates that the time from harvest has not exceeded the requirements in Chapter VIII §@.03;
 - (3) Shucked shellfish temperature or the internal body temperature of in-shell product exceeds 50° Fahrenheit (10° Centigrade); or
 - (4) The Authority determines that the product is unwholesome or unsafe for human consumption.

- B. The Authority shall notify the shipping dealer, the receiving dealer, and the Authority in the State where the shipment originated of the shipment's rejection.

@.04 Bacteriological Examination of Shellfish Shipments.

If the State chooses to sample, the following protocol shall be used.

- A. Bacteriological samples of any shellfish taken for the purpose of rejection of shipments from out-of-state dealers shall be collected within twenty-four hours of the shellfish entering a State.
- B. Bacteriological examination shall be made of the shellfish shipment if:
 - (1) The internal body temperature of the shellstock exceeds 50° Fahrenheit (10° Centigrade) and is less than or equal to 60° Fahrenheit (15.6° Centigrade) unless the harvest initiation time can be documented and indicates that the time from harvest has not exceeded the requirements in Chapter VIII @.03;
 - (2) The shucked shellfish temperature or the internal body temperature of in-shell product exceeds 45° Fahrenheit (7.2° Centigrade) and is less than or equal to 50° Fahrenheit (10° Centigrade);
 - (3) The shipping time exceeds four hours and there is no temperature recording device or the recording device is inoperative; or
 - (4) The Authority determines it is necessary.

Requirements for the Harvester/Dealer

.01 Trucks or Other Vehicles Used to Transport Shellstock to the Original Dealer.

- A. The harvester, or dealer who transports shellstock from the harvester to the original dealer, shall assure that all trucks used to transport shellstock are properly constructed, operated, and maintained to prevent contamination, deterioration, and decomposition.
- B. Storage bins on trucks or other vehicles used in the transport of shellstock for direct marketing shall be:
 - (1) Kept clean with potable water or water from an approved area or conditionally approved area in the open status; and
 - (2) Provided with effective drainage.
- C. Shellstock shall be transported in adequately refrigerated trucks when the shellstock have been previously refrigerated or when ambient air temperature and time of travel are such that unacceptable bacterial growth or deterioration may occur.
- D. Prechilling trucks or other vehicles shall be required when ambient air temperatures are such that unacceptable bacterial growth or deterioration may occur.
- E. When mechanical refrigeration units are used, the units shall be:
 - (1) Equipped with automatic controls; and
 - (2) Capable of maintaining the ambient air temperature in the storage area at temperatures of 45° Fahrenheit (7.2° Centigrade) or less.
- F. Any ice used to cool shellstock during transport shall meet the requirements of Chapter XI.02A.(2).
- G. Cats, dogs, and other animals shall not be allowed in any part of the truck or other vehicle where shellstock is stored.

.02 Receiving Shellfish

- A. The dealer shall reject or discard any shellfish shipments which:
 - (1) Do not originate from a licensed harvester or dealer; and/or
 - (2) Are unwholesome, inadequately protected, or whose source cannot be identified.
- B. Transportation agents or common carriers used by a dealer are not required to be certified.
- C. The dealer shall:
 - (1) Inspect incoming shellfish shipments to assure that the shipments are received under the conditions required in this Chapter;
 - (2) Place shellstock under temperature control within 2 hours after receipt from the harvester, or when the dealer is also the harvester, when shellstock reaches the dealer's facility;
 - (3) Ensure that shellstock are not permitted to remain without ice, mechanical refrigeration, or other approved means of lowering the internal body temperature of the shellstock to, or maintaining it at, 50° Fahrenheit (10° Centigrade) or less for more than 2 hours at points of transfer such as loading docks;
 - (4) Ensure that shucked shellfish and in-shell product are not permitted to remain without ice, mechanical refrigeration, or other approved means of maintaining shellfish temperature at 45° Fahrenheit (7.2° Centigrade) or less; and
 - (5) Ensure that frozen shellfish remain frozen.
- D. For the purpose of this section, temperature control is defined as the management of the environmental temperature of the shellstock by means of ice, mechanical refrigeration or other means approved by the Authority.

.03 Transportation Containers.

- A. All containers used to transport shellstock shall be:
 - (1) Constructed to allow for easy cleaning; and
 - (2) Operated and maintained to prevent product contamination.
- B. All containers shall be cleaned with:
 - (1) Potable water; and
 - (2) Detergents, sanitizers, and other supplies acceptable for food contact surfaces.

.04 Cargo Protection From Cross Contamination.

- A. General. All containers used for storing shellfish shall be clean and fabricated from safe materials.
- B. Shellfish Cargo Only.
 - (1) The entire cargo shall consist of shellfish products only.
 - (2) Except for bulk shipments, shellstock shipments shall be shipped on pallets.
 - (3) In-shell product shipments shall be shipped on pallets.
 - (4) If the conveyance does not have a channeled floor, pallets shall be used for all shellfish.
- C. Mixed Cargoes. Shellfish shall be shipped as part of a mixed cargo of seafood or other food product only when:
 - (1) Shellfish products are protected from contamination by the other cargo;
 - (2) All cargo is placed on pallets; and
 - (3) No other cargo is placed on or above the shellfish unless all cargo is packed in sealed, crush resistant, waterproof containers.
- D. Ice. Any ice used to cool shellfish shall meet the requirements of Chapter XI.02A.(2).

.05 Shipping Times.

- A. Shipping Time is No More Than Four Hours.
 - (1) When the shipping time is four hours or less, the dealer shall ship all shellfish:
 - (a) Well iced; or
 - (b) Using other acceptable means of refrigeration.
 - (2) When mechanical refrigeration units are used, the units shall be equipped with automatic controls and shall be capable of maintaining the ambient air in the storage area at temperatures of 45° Fahrenheit (7.2° Centigrade) or less.
 - (3) The dealer shall not be required to provide thermal recorders during shipment.
 - (4) Lack of ice or other acceptable types of refrigeration shall be considered an unsatisfactory shipping condition.
- B. Shipping Time is Greater Than Four Hours.
 - (1) When the shipping time is greater than four hours, the dealer shall ship all shellfish in:
 - (a) Mechanically refrigerated conveyances which are equipped with automatic controls and capable of maintaining the ambient air in the storage area at temperatures of 45° Fahrenheit (7.2° Centigrade) or less; or
 - (b) Containers with an internal ambient air temperature maintained at or below temperatures of 45° Fahrenheit (7.2° Centigrade) or less.
 - (2) Unless the dealer has an approved HACCP plan with an alternate means of monitoring time-temperature, the initial dealer shall assure that a suitable time-temperature recording device accompanies each shipment of shellfish.
 - (3) The initial dealer shall note the date and time on the temperature-indicating device, if appropriate.
 - (4) Each receiving dealer shall write the date and time on the temperature-indicating device, if appropriate, when the shipment is received and the doors of the conveyance or the containers are opened.
 - (5) The final receiving dealer shall keep the time-temperature recording chart or other record of time and temperature in his files and shall make it available to the Authority upon request.
 - (6) An inoperative temperature-indicating device shall be considered as no recording device.