

Proposal Subject	Marine Biotoxin Control
Specific NSSP Guide Reference	Model Ordinance Chapter IV. @.04 A. (4)
Text of Proposal/ Requested Action	(4) The plan may include agreements or memoranda of understanding, between the Authority and individual shellfish harvesters <u>or individual shellfish processors</u> to allow harvesting in designated parts of a growing area while other parts of the growing area are placed in the closed status. Such controlled harvesting shall be conducted with strict assurances of safety, such as by batch release of shellfish lots only after samples of each lot are tested and found to be below the actions levels specified in Section C.
Public Health Significance	The option for agreements or memoranda of understanding between the Authority and individual shellfish processors will provide additional control and documentation through HACCP plans.
Cost Information (if available)	N/A
Action by 2005 Task Force I	Recommended adoption of Proposal 05-106 as submitted.
Action by 2005 General Assembly	Adopted recommendation of 2005 Task Force I.
Action by USFDA	FDA concurs with Conference action to allow Shellfish Authorities to establish agreements or memoranda of understanding with “ <i>individual shellfish processors</i> ” for harvesting in designated parts of a growing area while other parts of the growing area remain in the closed status. However, FDA recommends that the word “ <i>dealer</i> ” be substituted for the word “ <i>processor</i> ”. This change will maintain language consistency throughout the Model Ordinance and is in keeping with Model Ordinance definitions which define “ <i>dealer</i> ” but not “ <i>processor</i> ”.