

We request the following change to Chapter VIII@.02A(3). We suggest adding another row to the table in VIII@.02A(3) that would be a new level 1 and moving the other action levels down. The new level 1 would be for when average monthly maximum air temperatures are <50° F and it would indicate no time to temperature controls are required. When ambient temps are below 50° F there is no public health benefit provided by refrigerating shellstock. This would help out growers to beat storms and leave product on the deck of the boat in the winter time or dump truck hauling in the winter. It would also help out growers on the central and NE east coast.

Chapter VIII@.02 E

The Authority shall ensure that harvesters document and provide **trip records** to the initial dealer demonstrating compliance with the time to temperature requirements.

Consider adding a definition for trip records or providing an explanation on what trip records are in the guidance document.

Chapter IX Transportation

.032 Transportation Containers. Trucks or Other Vehicles Used to Transport Shellstock from Dealer to Dealer

A. Shellfish dealers shall ensure that ~~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. Shellfish dealers shall ensure that ~~a~~All containers shall be cleaned with:

- (1) Potable water; and
- (2) Detergents, sanitizers, and other supplies acceptable for food contact surfaces.

As was mentioned in Charlotte, a lot of west coast shellfish is shipped dealer to dealer by commercial airlines. The proposed requirement in the transportation chapter to require containers to be cleaned is problematic. There is no way airlines are going to be responsible for cleaning bulk airfreight containers (e.g.LD-3s) prior to loading with shellfish. These shipments are typically done with insulated liners in the air freight containers or in Styrofoam boxes. Airlines also require shellfish to be in 4 ml bags besides the boxes so they don't leak and put planes out of service. With all of the packaging required for airfreight, the risk of contamination from unsanitized shipping containers is minimal to non-existent. Requiring shellfish shippers to wash new containers (styro boxes) prior to filling them is an unnecessary step which provides no public health benefit. Similar to airlines, common carrier truck lines aren't necessarily going to wash trucks prior to shellfish shipments. Maybe the better approach is to ensure shellfish loaded on trucks be packaged in a manner to protect it from adulteration.