Proposal No. 2 7 - 2 5 2

Proposal for Task Force Consideration at the ISSC 2027 Biennial Meeting *(Tab to go to next field)*	1. a. ☐ Growing Area b. ☒ Harvesting/Handling/Distribution c. ☐ Administrative
2. Submitter	US Food & Drug Administration (FDA)
3. Affiliation	US Food & Drug Administration (FDA)
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9. Proposal Subject	Commingling Prevention Requirement Criticality Code
10. Specific NSSP Guide Reference	Section II. Model Ordinance Chapter XI. .03 F.(10); Chapter XII. .03 F.(1)(a) Chapter XIII. .03 F.(7); Chapter XIV. .03 F.(1)(a); and Chapter XV. .03 F.(9)
11. Text of Proposal/ Requested Action	Chapter XI. .03 F. Shellfish Storage and Handling. … (10) Not commingle shellstock during shucking unless the dealer is included in the Authority's commingling plan. ~~[K]~~ [S^C/K] Chapter XII. .03 F. Shellfish Storage and Handling. (1) The dealer shall: (a) Not commingle shellfish from different lots; ~~[K]~~ [S^C/K] Chapter XIII .03 F. Shellfish Storage and Handling. (1) The dealer shall assure that shellstock is: (a) Alive; **[K** (b) Reasonably free of sediment **[O]**; and (c) Culled. **[K]** … … (7) The dealer shall not commingle shellstock unless the dealer is included in the authority's commingling plan [S^C/K] Chapter XIV. .03 F. (1) The dealer shall not: (a) Commingle, sort, or repack shellfish; or ~~[K]~~ [S^C/K] Chapter XV. .03 F. … (9) Assure that different harvest lots of shellfish are not commingled during washing, culling, processing, or packing. If more than one (1) harvest lot of shellfish is being processed at the same time, the identity of each harvest lot is maintained throughout the stages of depuration. ~~[K]~~ [S^C/K]
12. Public Health Significance	Currently, Chapter XIII. (Shellstock Shipping) is the only dealer chapter that

	does not include a requirement for the dealer not to commingle shellstock under section .03 F. Shellfish Storage and Handling. Since commingling could occur during shellstock shipping, it is important that the requirements for commingling be included in Chapter XIII. for consistency with the other chapters of the model ordinance This proposal is to change the criticality code from a key, **[K]**, to a swing, **[S$^{C/K}$],** for commingling violations in all the dealer chapters to allow the authority the option to cite the violation as a critical, **[C]**, in cases where the authority determines illegal commingling could present a threat to the consumer There have been cases where shellstock and shellfish from multiple harvest areas were commingled during processing without an authority approved commingling plan. This could lead to problems with traceback and identifying the original harvest area(s) and date(s) in the event of an illness outbreak or other public health reason. Commingling outside of an authority approved commingling plan has occurred with shellfish received from other states. If shellfish from multiple harvest areas, including areas located in different states, are illegally commingled it would impede the outbreak investigation and the closure of harvest areas and recalls, if needed. This could lead to additional illnesses and is a significant concern in the protection of public health. In cases where the authority determines that illegal commingling does not present a potential threat to the consumer, such as cases of commingled shellfish from the same harvest area but different harvest dates for which a recall time period could be expanded or cases in which the authority would consider allowing the harvest areas in question to be added to a commingling plan (e.g., due to their proximity), this could still be cited as a key, **[K]**, deficiency.
13. Cost Information	No cost.
14. Changes Needed to Guidance (if proposed change is adopted)	TBD