

# State of California

## **SHELLFISH CERTIFICATES**

### California Code of Regulations, Title 17

§ 7706. Shellfish Bed Certificate Issuable by the State Board of Public Health.  
Any person, firm, or corporation engaged in the cultivating or harvesting of oysters, clams, or mussels for sale to the public for human consumption shall possess a valid certificate issued by the State Board of Public Health.

§ 7707. Shellfish Plant Certificate Issuable by the State Board of Public Health.  
Any person, firm, or corporation operating a plant engaged in culling, shucking, packing or repacking fresh oysters, clams or mussels for sale to the public for human consumption shall hold a valid certificate issued by the State Board of Public Health.

§ 7708. Authority of State Board of Public Health to Revoke or Suspend Certificate.  
Each certificate so issued shall be revocable or subject to suspension by the State Board of Public Health if for any reason the safety of the shellfish as an article of food is not assured or if the standards set forth herewith are not maintained at all times.

§ 7709. Expiration and Renewal of Certificates.  
A certificate issued under these regulations shall be valid for a period not to exceed one year and shall expire on February 15th of each year. An application for renewal of a certificate shall be made by January 1st of each year if an applicant desires to continue to hold a certificate. No certificate can be transferred.

§ 7710. Definition.  
For purpose of these regulations, the term "shellfish" is hereby declared to mean and include all varieties of oysters, clams, and mussels.

§7711. Types of Certificates.  
Shellfish certificates issued hereunder shall be of the following classifications:

- A. Shellfish beds and shellfish stock derived therefrom for human consumption.
- B. Shellfish culling, shucking, packing, and repacking plants and shucked shellfish produced therefrom for human consumption.
- C. A "limited" certificate may be granted as provided under Section 7744.

§7712. Application for Certificate.  
The applicant for a certificate to operate in either of the classifications described above shall file with the State Department of Public Health a written request accompanied by a detailed description of the shellfish beds or shellfish handling plants and a map showing the location of the beds or facilities. With the application shall be filed a description of the proposed source or sources of shell or shucked stock. He shall also file with the State Department of Public Health an agreement to comply with each and all of these regulations.

§7713. No Shellfish Grown in the State of California to Be Sold or Distributed Unless Certified.

No shellfish grown in the State of California shall be sold or distributed except from growing areas that have been approved and have been granted a valid certificate by the State Board of Public Health under these regulations. Shellfish shall not be sold or distributed from growing areas in other states unless each lot of shellfish obtained therefrom bears a certificate number designating a certificate of cleanliness and safety issued by the State Department of Health of the state in which the shipment originates acceptable to the California State Department of Public Health.

§7714. No Shucked Shellfish to Be Sold or Distributed Unless Certified.

No shucked shellfish shall be sold or distributed except where such shellfish have been handled in plants for which a certificate has been issued by the State Board of Public Health under these regulations. Shucked shellfish from other states shall not be sold or distributed unless each lot of shucked shellfish obtained therefrom bears a certificate number designating a certificate of cleanliness and safety issued by the State Department of Health of the state in which the shipment originates acceptable to the California State Department of Public Health.

§7719. Safety of Shellfish for Human Consumption.

No shellfish shall be sold or distributed for human consumption unless it is safe as an article of food and is free from filth.

§7720. Persons Infected With Communicable Diseases.

Persons who are infected with or are carriers of organisms of typhoid fever, dysentery, septic sore throat, or certain other communicable diseases which might be transmitted through shellfish or who have infected wounds or open lesions on exposed portions of the body shall not be employed in the growing beds or shucking, packing, or repacking plant. If the owner or manager has reason to suspect that any employee has contracted such a communicable disease, he shall immediately exclude said employee from the growing beds or plant.

§7725. Record of Operations.

A daily record of shellfish received and shipped shall be kept showing kinds of shellfish, designation of the beds from which derived, name of grower, name of shipper, and name of consignee. These records shall be available for inspection by the State Department of Public Health or its agents during all reasonable hours. Upon request these records shall be submitted to the State Department of Public Health.

§7730. Cleanliness of Shellfish Growing Areas.

Shellfish beds shall be located in growing areas not adversely affected by sewage, other wastes, or human and recreational activity. All operation of the beds shall be such as not to adversely affect the cleanliness of the growing area.

§7731. Boat Sanitation.

All boats, scows, and appurtenances thereto used in the taking of shellfish or used in the transportation of shellfish from the beds to plants or used in the water over the shellfish beds shall be kept in such a state of cleanliness and repair that shellfish growing on the bed and handled and stored thereon shall not be subject to contamination. Decks, holds, or bins used for storage and/or transporting of shellfish on

boats shall not be washed with polluted water. Persons in boats over the shellfish beds shall not discharge human wastes to the waters. Adequate facilities shall be provided for disposal of human wastes from persons working on the shellfish beds.

§7732. Shellfish from Uncertified Areas Brought into Certified Beds.

Shellfish growing in uncertified areas may not be brought into a bed for which a certificate has been issued unless special approval is first granted by the State Department of Public Health. Such approval shall be in writing and granted only on condition that the method of transplanting and timing of arrival of the shellfish will insure that the transplanted shellfish remain in the approved growing area at least 30 days before harvesting for sale for human consumption. This transplanting area must be in separate portions of the bed and one in which no other shellfish are held.

§7733. Water Quality.

Shell stock shall not be cleaned, stored, floated, or conditioned in water, the standard of which is not as rigid as that required at certified shellfish beds.

§7738. Culling Plants.

Culling plants shall be located in areas free from insanitary conditions and faulty sewage disposal. They shall be provided with an ample supply of water under adequate pressure from a source approved by the State Department of Public Health for the purpose of hosing down floor and benches and cleaning the shellfish. Floors and premises shall be kept in a clean and sanitary condition

§7739. Storage.

Shellstock in storage shall be adequately protected from contamination at all times. Dry shellstock shall not be stored on floors. Storage areas must be kept clean at all times. Containers shall be clean and in good condition.

§7740. Cleanliness of Shellstock.

Only shellstock that is reasonably clean and reasonably free of mud shall be shipped or marketed. Oysters, clams, or mussels which are dead or do not have tight shells shall not be shipped or marketed.

§7741. Shipping.

Shellstock shall be handled and shipped under such temperature as will keep them alive. Each lot of shellstock shall be shipped in clean containers such as bags, boxes, or barrels so as to prevent spoilage or contamination during shipping. Each lot shall be plainly marked with the name and address of the shipper, the certificate number of the bed from which the oysters, clams, or mussels were obtained, and the date of harvest.

§7742. Shucking and Packing Plants and Equipment.

Shellfish shall be shucked and packed in such a manner that they are not subject to contamination. Shellstock shall be free of mud when they are shucked. Only live shellfish shall be shucked. Shucked shellfish shall not remain on the shucking table for more than one hour unless refrigerated at .50 degrees Fahrenheit or less.

§7743. Washing.

All shucked shellfish shall be properly washed and shall be free of sand, mud and other foreign material. Methods and equipment used for washing the shucked shellfish shall

be adequate to accomplish this purpose and shall be approved by the State Health Department. All water used for washing the shellfish shall meet the requirements of Section T17-7753 of these regulations.

#### §7744. Plant Arrangement.

Unless shellfish are shucked directly into packing containers with no further processing, the shucking and packing processes shall be done in separate rooms. There shall be installed in the partition between the two rooms a delivery window through which the shucked stock is passed to the packing room. Provision shall be made for storing the employees' outer garments, aprons, gloves, etc., in a separate room.

In special instances where shucking is done on a small scale for local retail sales, shucking and packing may be permitted in a single room if approved by the State Department of Public Health. This single room and all operations shall conform to all requirements of these regulations except that of separate shucking and packing rooms. "Limited" certificates shall be issued in these instances and all containers of shucked shellfish shall be clearly labeled or marked with the words "limited certificate" and the appropriate certificate number.

Not a building standard.

#### §7745. Floors.

The floors of all rooms in which shellfish are stored, shucked, washed, packed, or otherwise processed shall be constructed of concrete or other equally impervious material, graded to drain quickly, free from cracks or uneven surfaces that might interfere with proper cleaning or drainage, and maintained in a clean and satisfactory condition.

#### §7746. Walls and Ceilings.

Walls and ceilings shall be maintained in a smooth, clean, washable, light-colored condition. They shall be impervious to moisture and shall be kept in good repair. Walls contiguous to benches shall, to a height of two feet above the bench top, be of smooth concrete, metal or equally nonabsorbent material.

#### §7747. Screening.

The plant shall have all openings effectively screened with not less than 16- mesh screening, unless other effective means are provided to prevent the entrance of flies and other insects

#### §7748. Light.

Ample light to work by shall be provided in all working rooms. A light intensity of not less than 10 foot-candles shall be maintained on all working surfaces when workers are at their working positions.

#### §7749. Ventilation.

Adequate ventilation shall be provided to prevent condensation on ceilings or other surfaces.

#### §7750. Toilet Facilities.

Every shellfish culling, shucking, packing, or repacking plant shall be provided with clean and adequate toilet facilities conveniently located. No toilet room shall be used

for the storage of garments, food products, containers, or equipment. Construction and maintenance of toilets shall comply with all local and state regulations.  
Not a building standard.

#### §7751. Handwashing Facilities.

An adequate number of lavatories shall be provided at locations conveniently to toilet rooms and shellfish handling operations, including running hot and cold water, soap, and individual disposal towels. The use of a common towel is prohibited.

All employees shall wash their hands thoroughly with running water and soap on beginning work and after each visit to the toilet. Signs to this effect shall be posted in conspicuous places in the plant and in the toilet rooms

#### §7752. Sewers and Drains.

Sewage and other liquid wastes shall be discharged into public sewers wherever possible. Where private sewage or waste disposal systems must be utilized they shall be constructed in accordance with state and local regulations pertaining thereto. Plant waste systems shall be properly trapped and vented. Waste liquids shall be disposed of in a manner that will not adversely affect the quality of the water in which shellfish are grown or stored. Waste lines from washing machines shall have suitable protection against the possibility of sewage or wastes entering these machines.

#### §7753. Water Supply.

Shucking, packing, or repacking plants shall be provided with an ample supply of water under adequate pressure from a source approved by the State Department of Public Health. The supply shall be accessible to all parts of the plant, adequate in quantity, and of a safe sanitary quality. No cross-connections with unapproved supplies or other possible sources of contamination shall be permitted.

#### §7754. Benches and Stands.

All benches and stands shall be of smooth concrete, metal, or other nonabsorbent material, free from cracks or crevices, and so constructed that drainage is complete and rapid. Shucking blocks shall be removable unless an integral part of the bench and shall be of solid one-piece construction.

#### §7755. Construction of Utensils and Equipment.

All shucking pails, opening knives, blowers, skimmers, tanks, tubs, trays, measures, colanders, paddles, or other equipment or utensils which may come in contact with shucked shellfish shall be made of not readily corrodible, smooth, impervious material and shall be constructed in such a manner as to eliminate grooves, seams, and cracks where foreign particles, dirt, and slime might collect. Perforations in the skimmers, colanders, and blower trays shall be smooth to facilitate cleaning. Skimmers, ladles, and colanders of wire-mesh construction are not permitted. The top rim of every tank, tub, and tray shall be at least 30 inches above the floor.

#### §7756. Aprons and Finger Cots.

All persons who handle shucked shellfish shall wear clean aprons and coats of washable and waterproof material. If finger cots or similar shields for protecting the palm of the hand are worn, they shall be of clean, washable and waterproof material.

#### §7757. Refrigeration.

Unless shellfish are delivered to the consumer immediately upon completion of shucking, refrigeration facilities shall be provided capable of cooling the shucked shellfish to a temperature below 50 degrees Fahrenheit within two hours after the shellfish are shucked, and keeping them at this temperature until delivered to the consumer. If shucked shellfish are frozen, they shall be kept in a frozen condition until delivered to the consumer. The refrigerator or icebox shall have an impervious lining. The floor shall be graded to drain quickly. An accurate thermometer shall be kept in the refrigerator or icebox. Refrigerators shall be kept clean and sanitary at all times.

#### §7758. Ice.

Ice used for the processing of shucked shellfish shall be obtained from an approved source and shall be stored and handled in a sanitary manner. No ice shall be allowed to come in contact with shucked shellfish.

#### §7759. Cleaning.

The floors, walls, and, if necessary, ceilings in the plant shall be cleaned at the end of each day's operations and flushed with water. All equipment, utensils, benches, etc., which come in contact with shucked shellfish shall be thoroughly scoured at the end of each day's operations. The premises shall be kept clean and free of litter and rubbish. Equipment and articles not required in the processing of the shellfish shall be excluded from the plant.

#### §7760. Sterilization of Equipment.

All utensils, equipment, or working surfaces coming in contact with shucked shellfish after being thoroughly cleansed shall be sterilized by methods approved by the State Department of Public Health. Sterilized equipment shall be protected from recontamination between usages.

#### §7761. Packing and Shipping.

Shucked shellfish shall be packed and shipped either in single-service containers made of clean impervious materials or in properly designed, returnable containers which have received adequate cleansing and bactericidal treatment. All containers shall be stored in a manner that will protect them from contamination. Containers holding one gallon or more must be positively sealed or so sealed that tampering with the container can easily be detected. Each can, container, or package shall bear the name of the shipper, certificate number of the shucking, packing, or repacking plant, and date packed. The date may be in code if the code is registered with the State Department of Public Health.

Returnable containers will be accepted only for interplant shipment of shucked shellfish.

#### §7762. Repacking Shucked Stock.

Repacking of shucked shellfish shall only be done if contamination of the shellfish will not occur. Repacking of shucked stock shall be in conformance with all sections of these regulations dealing with shucking and packing of shellfish.