

OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY

Sanitary control of shellfish

Chapter 246-282 WAC

February 24, 2022

ACTIVITY	ANTICIPATED COMPLETION DATE	DATE COMPLETED
File CR101	February 2022	February 23, 2022
Notify stakeholders	March 2022	
Workgroup conference call/meeting	Spring 2022	
Send draft WAC to Workgroup	Summer 2022	
Revise draft rules and prepare analyses	Fall 2022	
File CR 102	Spring 2023	
Public Hearing	Spring 2023	
Respond to stakeholder comments, prepare Concise Explanatory Statement	Summer 2023	
File CR 103	Fall 2023	
Rule Effective	Early 2024	

Purpose

To protect shellfish consumers from Vibriosis, caused by *Vibrio parahaemolyticus* (Vp), stricter shellfish harvesting control measures—earlier in the year than the rule currently allows—are needed.

The anticipated rule changes will provide better public health protection by allowing the Department of Health (DOH) to require the stricter controls earlier in the season if the environmental conditions—including temperature—indicate they are needed to protect public health.

Recent Issues and Activities

In 2021, largely due to very high temperatures during the summer months, there were a high number of vibriosis cases involving Washington shellfish.

DOH will request delegation of rulemaking authority for emergency rulemaking to amend WAC 246-282-006, *Vibrio parahaemolyticus* control plan from the State Board of Health.

Since permanent rulemaking can take more than a year, this step will allow DOH to adopt an emergency rule, if necessary, to require stricter temperature controls earlier than is currently allowed, while still working with stakeholders to develop rule language for permanent adoption into the chapter.

Next Steps

Convene Vp Advisory Committee (VpAC) to begin discussing the necessary changes to the rule language and begin drafting rule language to better protect public health.

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