



October 2023

Commercial Shellfish Fees — Testing



Current Fund Balance

\$99,997 end of fiscal year 2023.

Fee Forecast

We projected a deficit prior to FY 2023. General Fund State (GFS) funding is subsidizing testing fees 33% in FY 2023.

Deficit Drivers

- Fee analysis delays. We increased fees in 2015.
- Annual inflation.
- Testing supply inflation spikes in supplies and shipping charges.



At the Department of Health, we work to protect and improve the health of all people in Washington state. We do this, in part, through regulation of Commercial Shellfish Operations ([Chapter 69.30 RCW](#)).

We certify over 300 operations with over 6,000 harvest sites and more than 100 growing areas classified. We cover over 375,000 acres including Puget Sound and the coast. We help provide shellfish for people to eat. To approve a growing area for harvest, we test the shellfish to ensure the level of marine biotoxins are under the closure threshold.

The Testing Program averaged 1,914 tests annually over the past four years. Primarily, we test mussels. We do various tests to identify diarrhetic shellfish poisoning (DSP), paralytic shellfish poisoning (PSP), amnesic shellfish poisoning (ASP), and *Vibrio parahaemolyticus* and *Vibrio vulnificus*.

Testing Program works with the Licensing and Export Certificate programs. We describe these programs further in corresponding individual fact sheets.

Funding the Program

State law ([RCW 43.70.250](#)) requires that the cost of each profession, occupation, or business be borne by the members of that profession, occupation, or business through fees.

We charge biotoxin testing fees at initial application and then annually to renew. PSP Geoduck fees are charged annually at the end of the calendar year. To set fees appropriately, we consider the financial forecast of the program and set a fee amount that aligns revenue with the cost of the testing program.

We set the current fees in June 2015 in response to the program’s growing debt and annual shortfall. In fiscal year (FY) 2014, the program implemented an average 105% increase on annual biotoxin testing fees. PSP Geoduck fees have not been changed in more than 20 years.

The program ended FY 2023 with a fee balance of \$99,997. We would have depleted this balance without support of General Fund State (GFS) funding. GFS funding covers testing and surveillance of *Vibrio parahaemolyticus* and *Vibrio vulnificus*. We are evaluating this service to find the most appropriate funding mechanism, but we do not intend to charge fees for this service at this time. GFS also subsidized biotoxin and PSP Geoduck testing until we could conduct an in-depth fee analysis. We conducted this analysis in early 2023 and determined GFS subsidizes 33% of eligible fee testing costs.

Cost Drivers

The Commercial Shellfish Testing Program costs are primarily driven by staffing and testing services. Staffing and staffing related costs account for 54% and lab testing services account for 46% of program costs.

Testing Program expenditures include 3.28 full time equivalent (FTE) staff. 2.79 FTE are responsible for coordinating and conducting various sampling efforts, beach closures, data research, tracking all shellfish foodborne illness and monitoring outbreaks. The other .49 FTE provide program management, supervision, and administration.

The Public Health Lab provides testing services. Price per test for testing services is \$202 for paralytic shellfish poisoning (PSP), \$590 for Vibrio, \$156 for amnesic shellfish poisoning (ASP or DA Domoic Acid), and \$183 for diarrhetic shellfish poisoning (DSP). These prices include all necessary staff, supplies, and services to provide testing.

Fee Forecast

In 2024, we anticipate increasing fees to align revenue with annual fee eligible expenses. Biotoxin testing draft proposed fees include a 50% subsidy on this fee increase. PSP Geoduck fees do not include this subsidy. The Commercial Shellfish program is intending to conduct a program audit on all services and associated costs. As a result, it is possible that additional fee eligible costs could be added to a future fee adjustment.

Biotoxin Testing Fees				
Operation	Acres	HS	Current Fee	Draft Proposed Fee
Harvester		2 or less	\$ 353	\$ 665
		3 or more	\$ 535	\$ 1,009
Shell stock	WS	WS	\$ 198	\$ 373
	0-49 acres	2 or less	\$ 393	\$ 741
	50 or greater	N/A	\$ 961	\$ 1,812
Shipper		3 or more	\$ 610	\$ 1,150
		N/A	\$ 961	\$ 1,812
	Plants < 2000 sq ft	2 or less	\$ 752	\$ 1,418
	Plants < 2000 sq ft	3 or more	\$ 1,076	\$ 2,029
Shucker	plants 2000-5000 ft	2 or less	\$ 882	\$ 1,663
	plants 2000-5000 ft	3 or more	\$ 1,297	\$ 2,445
	plants > 5000 ft	N/A	\$ 2,412	\$ 4,547
Packer				
Fee cost allocation applied a 89% across the board increase to current fee schedule to recover all costs. In coming years, we will work to update the biotoxin fee structure to better align with biotoxin testing factors. We will evaluate potential growing area and harvest site methods for cost allocation in a future fee analysis.				
PSP Geoduck Fees				
PSP Geoduck			\$58,000 / # of annual tests	\$305 per test
We propose to update this fee to the actual cost per test. Each test will be billed to the operation. This cost allocation update will stop the need for annual WAC updates to allocate the current \$58,000. Fees will continue to be billed on an annual basis.				

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