



JANUARY 2023 RULEMAKING MEETING

Office of Environmental Health & Safety

Discussion Topics

- Introductions
- 10-minute discussion from last meeting
- WAC 246-282-006: Current Vibrio Rule Sections 13-21
 - Corrective action for Time to Temp
 - Vp Training
 - Waiver
- WAC 246-282-006: Proposed Additions
- Questions/Suggestions

December Meeting Discussion

We will allocate 10 minutes for questions or discussion of any items that were covered in the previous Rule making meeting.

For example:

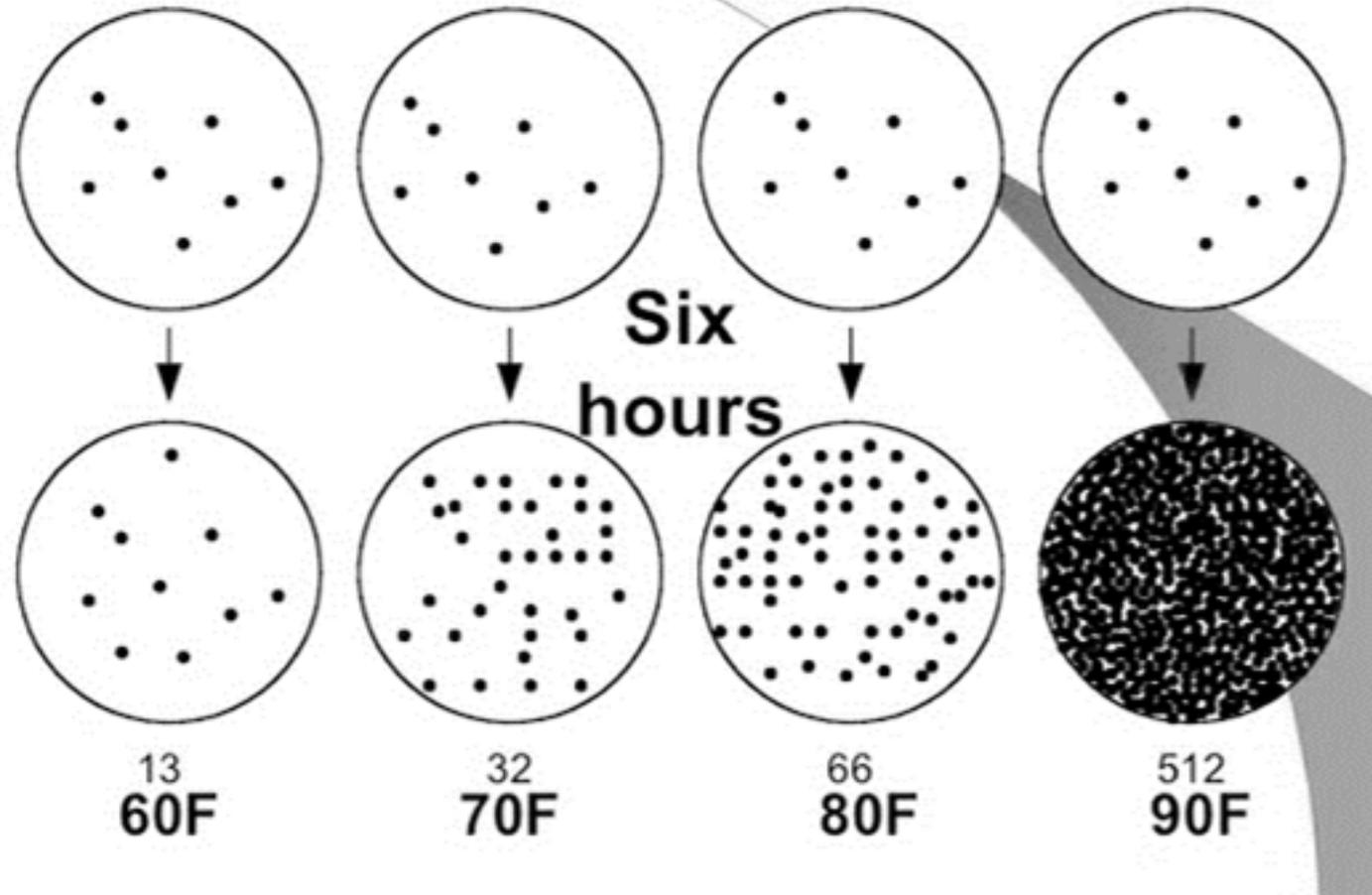
- Are there any ideas they you have about how to mitigate risk, and how would you like to see risk categories being determined.
- How might harvest and storage practices impact Vibrio levels in shellfish?
- Any additional ideas or thoughts about the previous meeting.

WAC 246-282-006 Section 13

(13) Harvesters and shellfish dealers shall initiate cooling **as soon as practical** from the **time of harvest** and within the time of harvest to cooling requirements for the growing area where the oysters were harvested to ensure that the maximum number of hours is not exceeded.

Vibrio Growth

Vibrio parahaemolyticus growth at various temperatures



Questions

- Is there a better way than “as soon as practical” to define the start of cooling?

I.e., Is something like, “placed under temperature control at time of harvest” less subjective, and more clearly defined?

WAC 246-282-006 Section 14

(14) If the required time of harvest to cooling requirements are not met after removal from the tide flat, the harvester or shellfish dealer shall dispose of the oysters using one of the methods below and record the disposition on the harvest record:

(a) Destroy the oysters;

(b) Place the oysters within the original growing area or another approved growing area and allow a minimum of **fourteen days** before reharvesting; or

(c) Deliver the oysters to a certified shucker packer for shucking or PHP and attach a harvest tag meeting the requirements in subsection (2) of this section.

WAC 246-282-006 Section 15

(15) If ownership of oysters is transferred prior to the oysters being cooled in accordance with the time of harvest to cooling requirements, the harvester shall include in the harvest record required under WAC 246-282-080 the:

- (a) Temperatures recorded under subsection (12) of this section;
- (b) Date, time, and person or entity to whom the oysters were transferred; and
- (c) Growing area risk category for the harvested product.
- (d) The receiving shellfish dealer shall meet the time of harvest to cooling requirements for the original harvest time.

WAC 246-282-006 Section 16

(16) *Vibrio parahaemolyticus* training requirements are as follows:

(a) Harvesters and shellfish dealers shall complete an initial department-approved training specific to the requirements of this section prior to harvesting or shipping oysters during the control months.

(b) Harvesters and shellfish dealers shall complete department-approved refresher training within one year following any revision of this rule considered significant under RCW 34.05.328 or at least every five years.

(c) Those responsible for the on-site management of harvest activities must be trained by either:

(i) Harvesters and shellfish dealers at their operation who completed the department-approved training; or

(ii) The department.

(d) Harvesters and shellfish dealers shall record those trained in their operational records.

WAC 246-282-006 Section 17 & 18

(17) A harvester or shellfish dealer may request a waiver from specific requirements of this section. The request must:

- (a) Be in writing;
- (b) Identify the requirement requested to be waived;
- (c) State the reason for the waiver; and
- (d) Provide supporting information.

(18) The department may grant a waiver request if it:

(a) Is consistent with the applicable standards and the intent of this section;
and

(b) Provides a comparable level of public health protection to the requirement being waived.

WAC 246-282-006 Section 19, 20 & 21

(19) If the department approves a waiver request, the department shall notify the requestor of the decision in writing.

(20) If the department denies a waiver request, the department shall notify the requestor of the decision in writing stating the reasons for the denial. The requestor shall comply with the provision that was the subject of the waiver request.

(21) The department shall review this section to evaluate the effectiveness of the rules and determine areas where revisions may be necessary by November 2017.

WAC 246-282-006: Proposed Additions

- Wet storage for pathogen reduction via waivers?
- How can we get ahead of *Vibrio vulnificus* risk?
- Should we implement *Vibrio* sampling results for closures?
- What types of requirements might be necessary to prevent V.v. illnesses i.e., stricter requirements when V.v. is present, etc.

2021 & 2022 Vibrio Vulnificus

Date Collected	Sample Site	TLH MPN	Salinity	Vv MPN/g
7/27/2022	Twanoh SP	1500	21	2.3
7/28/2022	Samish Bay	4300	26	42
8/10/2022	Hood Canal #5	920	26	0.92
8/10/2022	Twanoh SP	4300	25	42
8/24/2022	Twanoh SP	920	26	15
8/24/2022	Hood Canal #5	230	13	2.3

Date Collected	Sample Site	TLH MPN	Vv MPN/g
6/28/2021	Hood Canal #5	46000	2.3
6/30/2021	Stony Point	7500	0.92
7/7/2021	Hood Canal #5	2300	0.92
7/7/2021	Twanoh SP	24000	92
7/12/2021	Hood Canal #5	420	0.92
7/12/2021	Twanoh SP	7500	920
7/27/2021	Hood Canal #5	4300	0.92
7/27/2021	Twanoh SP	9300	230
8/3/2021	Hood Canal #5	4300	42
8/3/2021	Twanoh SP	230	15
8/16/2021	Hammersley Inlet	42	0.92
8/23/2021	Samish Bay	92	0.92
8/26/2021	Samish Bay	15	4.2
9/2/2021	Samish Bay	9.2	3.8
9/7/2021	Twanoh SP	230	1.5

Questions?

All meeting agendas, presentations, and information can be found here:

<https://doh.wa.gov/community-and-environment/shellfish/rules/wac-246-282-sanitary-control-shellfish-rule-revision>

Dani Toepelt, R.S.

Gender Pronouns: she/her
Shellfish Licensing & Certification Section Manager
Office of Environmental Health and Safety
Division of Environmental Public Health
Washington State Department of Health
danielle.toepelt@doh.wa.gov
360-236-3347 office | 360-890-6054 cell

Beth Lorence, MPH

Gender Pronouns: she/her
Illness Prevention Coordinator, *Vibrio* Lead
Shellfish Licensing & Certification Section
Office of Environmental Health and Safety
Division of Environmental Public Health
Washington State Department of Health
360-972-6911 | Elizabeth.lorence@doh.wa.gov

Grace Workman

Gender Pronouns: She/Her/Hers
State Standardized Inspector, Harvest Site Lead
Shellfish Program
Environmental Public Health
Washington State Department of Health
shellfish@doh.wa.gov
Office 360-236-3330
Mobile 360-918-4867
Fax 360-236-2257

Upcoming Rulemaking Meetings

Next Tribal Rulemaking meeting will be held:

February 22nd from 9:30am to 11:30am

Next Non-Tribal Rulemaking meeting will be held:

February 23rd from 9:30am to 11:30am



Washington State Department of

Health