

WAC 246-282-006

Washington state *Vibrio parahaemolyticus* control plan.

- (1) The Washington state *Vibrio parahaemolyticus* control plan, also known as the control plan, establishes harvest, temperature control, and transportation requirements for oysters harvested during the months of May through September (control months). The requirements of this section are in addition to the NSSP Model Ordinance.
- (2) The following definitions apply to this subsection:
 - (a) "Exposed intertidal harvest" means a process of collecting oysters and removing them from the beach while they are exposed
 - (b) "Submerged intertidal harvest" means a two-part process of placing oysters into a conveyance while they are exposed and leaving the oysters on the beach to be submerged for a minimum of four hours before removing the oysters from the water.
 - (c) "Subtidal harvest" means a process of removing oysters directly from the water while the oysters are submerged.
- (3) All oysters harvested and delivered to a certified shucker packer for shucking during the control months must have a harvest tag labeling the oysters with "shucking only by a certified dealer".
 - (a) Subsections (4)-(10) in the control plan do not apply to oysters harvested under this subsection.
- (4) All harvesters and dealers harvesting oysters during the control months shall complete, submit to the Department of Health, and keep on file a *Vibrio parahaemolyticus* harvest plan.
 - (a) The harvest plan must describe the harvest method, temperature collection method, mode of temperature control, transportation method, and include an example of the harvest temperature log.
 - (b) Harvesters and dealers shall submit the harvest plan for department approval and may not harvest oysters during the control months until the department has approved the plan.
 - (c) The harvest plan must be updated and re-submitted annually by March 1.
- (5) All harvesters and dealers shall complete an initial department-approved training specific to the requirements of this subsection prior to harvesting or shipping oysters during the control months. All harvesters and dealers shall complete department-approved refresher training within two years following any revision of this section considered significant under RCW 34.05.328 or at least every five years. Harvesters and dealers who complete the training shall provide and/or ensure the training to those responsible for the on-site management of harvest activities for their operation, and document the training for responsible employees in their operational records.
- (6) All harvesters and dealers harvesting oysters during the control months shall report monthly landings data... text TBD.
- (7) Time of harvest to temperature and limitations to harvest are based on the risk categorization of each growing area. The department shall assign each growing area a risk category of 1, 2, 3, or 4 based on:

- (a) Reported confirmed *Vibrio parahaemolyticus*-associated illnesses implicating commercially-harvested oysters from the growing area; and
 - (b) Expected *Vibrio* growth and likelihood of illness based on the Washington State Risk Assessment and reported oyster landings from the growing area.
 - (c) Risk categorization will be completed by the department annually. A list of all growing areas by risk categorization and any changes in growing area risk categories will be published by the department **no later than February 1** preceding each year's control months.
- (8) Time of harvest to temperature are as follows:

Note: DOH to ground truth times with risk model and check number of illnesses with May and Sept harvest dates for June VpAC meeting.

Risk Level	Time to Temperature				
	May	June	July	August	September
1	12 hours	10 hours	8 hours	8 hours	10 hours
2	10 hours	8 hours	6 hours	6 hours	8 hours
3	8 hours	6 hours	5 hours	5 hours	6 hours
4	6 hours	5 hours	4 hours	4 hours	5 hours

- (a) Harvest times begin as follows:
 - (i) Exposed intertidal time of harvest begins after the first oysters to be harvested are exposed to the air by the receding tide.
 - (ii) Submerged time of harvest begins after the first oysters harvested are exposed to the air and have been placed onto a conveyance, such as a barge or boat.
 - (b) Temperature is achieved when harvested oysters reach an internal oyster temperature of 50°F (10°C) and oysters are **sufficiently** iced or placed in a controlled environment with an ambient temperature of 45°F (7.2°C) or less **to maintain an internal oyster tissue temperature of 50°F (10°C) or less.**
 - (c) **A validated time to temperature method may be allowed to meet the temperature requirements under this subsection based on a written request and inclusion as part of the harvest plan.**
 - (d) If the required time of harvest to temperature period in is not met, the harvester or dealer shall either:
 - (i) Destroy the oysters; or
 - (ii) Remove all oysters from containers, disperse them within the original growing area **or another approved growing area with a relay permit**, and allow a minimum of **fourteen days** for purging before reharvesting.
 - (iii) **Delivered to a certified shucker packer for shucking with a harvest tag labeling the oysters with "shucking only by a certified dealer".**
 - (e) If the required time of harvest to temperature control period is not met, the harvester or dealer shall record the disposition of the oysters on the harvest record.
- (9) Limitations to harvest are as follows:

GROUP 1:

Risk Level	Harvest Limitations
1	When water* temperature $\geq 70^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
2	When water* temperature $\geq 68^{\circ}\text{F}$ and/or ambient air temperature $\geq 85^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
3	When water* temperature $\geq 65^{\circ}\text{F}$ and/or ambient air temperature $\geq 80^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
4	When water* temperature $\geq 63^{\circ}\text{F}$ and/or ambient air temperature $\geq 75^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours. <i>Harvest is not allowed for intertidal harvest after 10:00 am during the summer tidal cycles when -1 foot or lower tides are predicted to occur between 11:00 am and 5:00 pm. The department shall provide closure dates by affected growing area by April 15 preceding each year's control months.</i>

* For exposed intertidal harvest oyster tissue temperature must be used rather than water temperature. See subsection (2) for definitions.

GROUP 2:

Risk Level	Harvest Limitations
1	When water* temperature $\geq 70^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
2	When water* temperature $\geq 68^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
3	When water* temperature $\geq 65^{\circ}\text{F}$ and/or ambient air temperature $\geq ??^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
4	When water* temperature $\geq 63^{\circ}\text{F}$ and/or ambient air temperature $\geq ??^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.

* For exposed intertidal harvest oyster tissue temperature must be used rather than water temperature. See subsection (2) for definitions.

COMBINED ATTEMPT:

Note: Need to adjust temps in the combined effort, right now all of the temps are the same regardless of harvest process.

Risk Level	Harvest Limitations:		
	Intertidal Exposed	Intertidal Submerged	Subtidal
1	When tissue temperature $\geq 70^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.	When water temperature $\geq 70^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.	When water temperature $\geq 70^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
2	When tissue temperature $\geq 68^{\circ}\text{F}$ and/or ambient air temperature $\geq 85^{\circ}\text{F}$ harvest is prohibited and	When water temperature $\geq 68^{\circ}\text{F}$ and/or ambient air temperature $\geq 85^{\circ}\text{F}$ harvest is prohibited and	When water temperature $\geq 68^{\circ}\text{F}$ and/or ambient air temperature $\geq 85^{\circ}\text{F}$ harvest is prohibited and

	suspended for 48 hours.	suspended for 48 hours.	suspended for 48 hours.
3	When tissue temperature $\geq 65^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.	When water temperature $\geq 65^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.	When water temperature $\geq 65^{\circ}\text{F}$ and/or ambient air temperature $\geq 90^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.
4	When tissue temperature $\geq 63^{\circ}\text{F}$ and/or ambient air temperature $\geq 80^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.	When water temperature $\geq 63^{\circ}\text{F}$ and/or ambient air temperature $\geq 80^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.	When water temperature $\geq 63^{\circ}\text{F}$ and/or ambient air temperature $\geq 80^{\circ}\text{F}$ harvest is prohibited and suspended for 48 hours.

- (a) Submerged intertidal and subtidal harvesters shall maintain a harvest temperature log showing the water temperature taken at depth of harvest prior to harvest and date and time this measurement was taken at each harvest site for all harvests occurring within the control months.
 - (b) Exposed intertidal harvesters shall maintain a harvest temperature log showing the oyster tissue temperature taken prior to harvest and date and time this measurement was taken at each harvest site for all harvests occurring within the control months.
 - (c) Remote temperature loggers may be allowed based on written request and inclusion as part of the harvest plan.
- (10) Harvesters and dealers shall maintain harvest records showing the water (or tissue temperature) at harvest, time of harvest and the time oysters are placed under temperature control to demonstrate compliance with the control plan. If ownership of oysters is transferred prior to the time that time of harvest to temperature requirements must be met, the harvester or dealer shall include in the harvest record temperature, date, time, and person or entity to whom the oysters were transferred. If the new owner is a dealer, the dealer shall meet the time of harvest to temperature requirements established in subsection (8).
- (11) In the event of sporadic *Vibrio parahaemolyticus* illnesses or a *Vibrio parahaemolyticus* illness outbreak where oysters from a growing area are epidemiologically associated as the source, the requirements as stated in the NSSP Model Ordinance shall apply.