

NEW SECTION

**WAC 246-282-006 Washington state *Vibrio parahaemolyticus* control plan for June through September 2007.** (1) The Washington state *Vibrio parahaemolyticus* control plan for June through September 2007, is also known as the control plan. This plan is designed to cover the harvest and shipment of oysters intended for raw consumption during the months of June through September. It does not apply to shucked oyster meats labeled "for cooking only." Growing areas subject to the requirements of this section are identified in subsection (9) of this section. The control plan consists of:

(a) A modification of Chapter VIII of the 2003 National Shellfish Sanitation Program Model Ordinance (NSSP), Requirements for Harvesters, .03 Shellfish Temperature, Control Option 2;

(b) More stringent time-to-temperature controls when one of three triggers is met: The month of the year, the presence of the pathogenic form of *Vibrio parahaemolyticus*, or a vibrio illness;

(c) A monitoring program; and

(d) A series of harvest method options that dealers may choose to further reduce risk of illness.

(2) The control plan allows for climatic differences

between Puget Sound and coastal growing areas:

**Puget Sound Growing Areas:**

| <b>Months of Control</b>         | <b>Time-to-Temperature Control</b> |
|----------------------------------|------------------------------------|
| June, July, August and September | Ten hours                          |

**Coastal Growing Areas:**

| <b>Months of Control</b> | <b>Time-to-Temperature Control</b> |
|--------------------------|------------------------------------|
| June and September       | Twenty-four hours                  |
| July and August          | Ten hours                          |

(3) Dealer and harvester license holders shall maintain harvest records showing the time of harvest to assure compliance with the control plan. The harvest times begin as follows:

(a) Intertidal (exposed) harvest - Time shall begin after the first oysters to be harvested are exposed to the air by the receding tide.

(b) Submerged (dredged) harvest - Time shall begin after the first oysters harvested are exposed to the air and have been placed onto a conveyance, such as a barge or boat. Submerged harvest includes dredge harvesting or retrieval of harvest tubs, bags, baskets, or other containers of oysters filled previously which have been under water for a minimum of two hours for coastal areas and four hours for Puget Sound growing areas.

(4) The department shall require a monitoring program based on a biweekly sampling protocol, as defined in Chapter IV of the 2003 NSSP, section .03. If a thermo labile hemolysin level of 100 colony forming units per gram or greater is detected in a

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sample of oyster meats, the sampling frequency of the growing area shall be increased to weekly. The department, or designee of the department, shall collect samples using the following protocol:

(a) Samplers shall select oysters with the longest exposure to outside air temperature at the harvest site.

(b) Samplers shall record specific environmental data regarding the growing area conditions on the sample collection sheet and submit it with the sample to the department's public health laboratory. The following data will be recorded:

- (i) Outside air temperature;
- (ii) Surface water temperature; and
- (iii) Internal temperature of one oyster.

(5) When the *Vibrio parahaemolyticus* monitoring program yields results showing a 0.03 most probable number (MPN) per 0.1 gram (detectable) or greater level of thermo direct hemolysin (*tdh*) in a growing area, another sample from that growing area shall be taken within four days. If the second sample also shows results of 0.03 MPN/0.1 gram (detectable) or greater level of *tdh*, the following time-to-temperature control and record requirements shall apply to that growing area:

| <b>Time-to-Temperature Control</b> | <b>Records Required</b> |
|------------------------------------|-------------------------|
| Five hours                         | Time records            |

(6) In the event of a single *Vibrio parahaemolyticus*-associated illness where oysters from a particular growing area are epidemiologically associated (linked) as the source, the following protocols shall apply:

(a) The department or designee of the department shall collect a sample as soon as possible as specified in subsection (4) of this section and test for *Vibrio parahaemolyticus*;

(b) Licensed harvesters and dealers in the implicated growing area shall immediately implement the time-to-temperature control and record requirements specified in subsection (5) of this section regardless of the time of year;

(c) The implicated growing area shall remain under the time-to-temperature control and record requirements specified in subsection (5) of this section until two successive samples taken no less than four days apart show no detectable *tdh*.

(7) In the event of a *Vibrio parahaemolyticus*-associated illness outbreak where oysters from a particular growing area are epidemiologically associated as the source, the requirements as stated in the 2003 NSSP, Chapter II, Risk Assessment and Risk Management, shall apply.

(8) Dealers who elect to further reduce their *Vibrio parahaemolyticus* risk exposure may employ a modification to their method(s) of harvest and incorporate it into their Hazard Analysis Critical Control Points (HACCP) plan, as defined in Chapter X of the 2003 NSSP, section .01, after consultation and approval by the department's shellfish program.

(9) This section applies to the following growing areas beginning June 2007 through September 2007:

(a) Case Inlet;

(b) Eld Inlet;

(c) Grays Harbor;

(d) Hammersley Inlet;

(e) All of Hood Canal south of the Hood Canal bridge,  
including all inlets and embayments;

(f) Mystery Bay;

(g) Oakland Bay;

(h) Samish Bay;

(i) Skookum Inlet;

(j) Totten Inlet;

(k) Westcott Bay;

(l) Willapa Bay (Bay Center); and

(m) Willapa Bay (Nahcotta).

(10) In the event an illness occurs from a growing area not listed in subsection (9) of this section, that growing area shall be added to the control plan and shall be subject to the requirements of this section.

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