

2023 NSSP Model Ordinance Changes

Currently WAC 246-282-005, Minimum performance standards, references the U.S. Food and Drug Administration’s (FDA) 2019 National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish (guide), which all commercial shellfish-producing states are required to follow in order to place molluscan shellfish into interstate commerce. FDA has adopted a 2023 version of the NSSP guide, leaving the current rules out of date. This proposed rule will update the reference to the current standard.

The Department of Health has created this summary of changes table outlining the changes from the 2019 NSSP guide to the 2023 NSSP guide.

Summary of Changes

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| **2023 Model Ordinance Changes** | | **WADOH Interpretation** |
| **Definitions** | **(79) Mooring Area** means any water area that is used to provide temporary or permanent anchorage for more than twenty (20) boats with marine sanitation devices. Mooring areas do not include any structures for docking boats. | Technical change to provide clarification. |
| **(96) Prohibited** means a classification used to identify a growing area where the harvest of shellstock for any purpose, except depletion, gathering of seed or nursery culture for aquaculture or resource enhancement, is not permitted. | Technical change to provide clarification. |
| **(113) Seed** means shellstock which is less than market size and complies with the criteria in NSSP Model Ordinance Chapter VI. Shellfish Aquaculture @.02 Seed Shellstock where necessary. | Technical change to provide clarification. |
| **(115) Shellfish** means all species of:  (a) Bivalve mollusks (e.g. oysters, clams, mussels, cockles) whether:  (i) Shucked or in the shell;  (ii) Raw, including post-harvest processed;  (iii) Frozen or unfrozen;  (iv) Whole or in part; and  (b) Scallops in any form, except when the final product form is the adductor muscle only, attached or unattached to the shell. | Technical change to provide clarification. |
| **Chapter 1.@.01I** | 1. I. Request for Emergency Consideration. In the event of a declared public health emergency or natural or man-made disaster, including activation of the State Emergency Response Plan, if the Authority is not in a position to operate the program in full compliance with NSSP program requirements, the Authority shall immediately notify the ISSC and the FDA. The FDA shall immediately conduct discussions with the Authority to reach a mutually acceptable resolution. | Technical addition to have the ability to request accommodation during an emergency situation. |
| **Chapter 1. @.02F Inspections**. | (1) After any person is certified, the Authority shall make unannounced inspections of the dealer's facilities:  (a) During periods of activity; and  (b) At the following minimum frequencies:  (i) Within thirty (30) days of beginning activities if the dealer was certified on the basis of a pre-operational inspection;  (ii) At least monthly for dealer facilities certified as depuration processors;  (iii) At least triannually~~quarterly~~ for dealer's activities certified as shucker-packer or repacker; and  (iv) At least semiannually for other dealer activities or annually for seasonal other dealer activities that are certified for six (6) months or less.  (2) The Authority shall provide a copy of the completed inspection form to the person in-charge at the dealer's operation within a reasonable time of completing the ~~at the time of~~ inspection. The inspection form shall contain a listing of deficiencies by area in the operation and inspection item  with corresponding citations to this Model Ordinance.~~The plant inspection shall be conducted by the SSO or SSI using the appropriate inspection form.~~ | Technical change to allow shucker-packers to be inspected at least 3 times per year instead of 4.  Technical change to allow seasonal dealers who are active 6 months or less to be inspected annually instead of semiannually.  Technical change to allow the Authority a reasonable time to send the inspection report. |
| **Chapter 1. @.03B3. Patrol** | d. Comprehensive Listing of Harvest Restricted Areas – Chapter VIII. @.01 A. (3) (b) Does the Patrol Agency have a comprehensive listing of Harvest Restricted areas?  e. Patrol Policy Document – Chapter VIII. @.01 B. (6~~7~~).  f. Officer Training – Chapter ~~VII~~I. @.01 H~~B~~. (3) (a) (i-iii)~~6~~) | Technical change to provide clarification. |
| **Chapter 1. @.03B4. Plants** | f. Conformance Designations  i. The overall Plant Sanitation Program element will be assigned one (1) of the following conformance designations based on compliance with the criteria listed in Chapter I. @.03 B. 4.:  (a) Conformance: The program is in compliance with all of the criteria listed in Chapter I. @.03 B. 4. e. i.-vi. and has 25% or fewer of plants with deficiencies as outlined in Chapter I. @.03 B. 4. e. vii.  (b) Provisional Conformance: The program is in compliance with Chapter I. @.03 B. 4. e. i - vi. and has 26% to 42% of plants with deficiencies as outlined in Chapter I. @ .03 B. 4. e. vii. For plant sanitation programs that have 26-42% deficiencies, the Authority can achieve a designation of conformance by successful completion of the actions listed in Chapter I. @.03 B. 4. f. ii. (b).  (c) Nonconformance: The program is in compliance with Chapter I. @.03 B. 4. e. i., but does not meet the criteria in Chapter I. @.03 B. 4. e. ii. or iii. or iv. or v. or vi. or has greater than 42% of plants with deficiencies as outlined in Chapter I. @.03 B. 4. e. vii.. Two consecutive FDA audits of Provisional Conformance will result in a conformance designation of Non-Conformance. This conformance designation requires an action plan as outlined in Chapter I. @.03 B, 4. f. ii. (c). the program has been deemed in Provisional Conformance on two consecutive FDA audits.  (d) Major Nonconformance: The program has multiple deficiencies. It is noncompliant with Chapter I. @.03 B. 4. e. i., or two (2) or more of Chapter I. @.03 B. 4. e. ii., or iii., or iv., or v., or vi., The failure of a state to develop and implement an acceptable and effective action plan.  ii. Each conformance designation will require the actions listed below:  (a) Conformance: The Authority will work cooperatively with the individual firms to correct deficiencies or develop deficiency-specific compliance schedules in plants audited by FDA.  (b) Provisional Conformance: For plant sanitation programs that have 26-42% deficiencies, the Authority can achieve a designation of Conformance by successful completion of the actions listed below:  (i) Correct deficiencies or develop deficiency-specific compliance schedules in plants audited by FDA within 30 days of the in-field closeout meeting. If there are any disagreements between the Authority and FDA an additional 15 days will be allowed to resolve differences.  (ii) The State must take one of the following actions.  • Within 30 days, the SSO will conduct an audit of the same number of plants as the original FDA evaluation to determine compliance with Chapter I. @.03 B. 4. e. vii., (The Authority will work with FDA to select the plants.); or  • Conduct inspections of all certified dealers within 120 days to identify and correct deficiencies. Within 30 days of completion of the inspections, the SSO will conduct an audit of the same number of plants to determine compliance with Chapter I. @.03 B. 4. e. vii. (The Authority will work with FDA to select the plants.)  (iii) Conduct a file review for the purpose of comparing FDA and SSO findings to previous inspections (iv) Determine if inspector re-standardization or additional training is needed.  (v) Re-standardize and provide additional training for inspectors as needed. Should the SSO audit outlined in Chapter I. @.03 B. 4. f. ii. (b) (ii) above determine that compliance with Chapter I.@.03 B. 4. f. i. (a) the program will be reassigned a conformance designation of Conformance. This reassignment will be acknowledged in FDA correspondence to the Authority. Should the SSO audit outlined in Chapter I. @.03 B. 4. f. ii. (b) (ii) determine that the program is not in compliance with Chapter I. @.03 B. 4. f. i. (a), the program will be reassigned a designation of Nonconformance. This reassignment will be acknowledged in FDA correspondence to the Authority.  (c) Nonconformance: The Authority must develop and complete an action plan that includes a plan to specifically address any deficiencies associated with Chapter I. @.03 B. 4. e. ii-vi. Should the designation of Nonconformance be the result of deficiencies associated with Chapter I. @.03 B. 4. e. vii the action plan shall include the following:  (i) Correct deficiencies or develop deficiency-specific compliance schedules in plants audited by FDA within 30 days of the in-field closeout meeting. Should the state disagree with FDA regarding an identified deficiency(s), an additional 15 days will be allowed for resolution and/or correction of those specific deficiencies.  (ii) Within 10 days of correcting the deficiencies identified in the FDA audit, the Authority shall request re-standardization of state SSO(s) by FDA.  (iii) Within 60 days of SSO re-standardization by FDA, the SSO will conduct an abbreviated re-standardization of all inspectors using a minimum of 3 plants for the purpose of evaluating staff competency.  (iv) Provide additional inspector training as determined by the Authority.  (v) Following re-standardization, the state will conduct a state-wide compliance inspection of all plants (excluding plants audited by FDA). This activity must be completed within 120 days or another timeframe mutually agreed upon by the Authority and FDA.  (vi) Within 30 days of completion of the state-wide compliance effort, the SSO will conduct an audit of the same number of plants to determine compliance with Chapter I. @.03 B. 4. e. (The Authority will work with FDA to select the plants)  (vii) The state SSO will conduct a file review for the purpose of comparing FDA and SSO findings to previous inspections Failure to complete an effective action plan will result in a Conformance designation of major Non-Conformance. If Non-Conformance is the result of Provisional Conformance failure, an action plan would be required consistent with a conformance designation of Non-Conformance.  (d) Major Non-Conformance: All determinations of Major Non-Conformance and the identification of deficiencies that pose imminent health concerns will be immediately reported to the ISSC Executive Board for consideration for appropriate action. | Technical change to provide clarification about conformance designations. |
| **Chapter 2 @.01F Outbreaks of Shellfish-Related Illness** | F. Upon closing an implicated portion(s) of the harvest area(s) for naturally occurring pathogens and/or biotoxins, the Authority:  (1) Shall follow an existing marine biotoxin contingency/management plan, if appropriate.  (2) Shall collect and analyze samples relevant to the investigation, if appropriate.  (3) Shall keep the area closed until it has been determined that levels of naturally occurring pathogens and/or biotoxins are not a public health concern.  ~~(3)~~(4) Shall follow the procedure outlined in Chapter II @ .02 (10)(a) or (b) for closures resulting from *V.p.* illnesses.  ~~(4)~~(5) May limit the closure to specific shellfish species when FDA concurs that the threat of illness is species specific. | Technical change to reference the closure requirements for Vp illnesses. |
| **Chapter 2 @.01G Outbreaks of Shellfish-Related Illness** | G. When the growing area is determined the problem, the Authority shall:  (2) Keep the area closed until at least ~~for a minimum of~~ 21 days have passed from the last date of harvest of the implicated shellstock if the illness is consistent with viral etiology; | Technical change to provide clarification on when the 21-day closure period starts. |
| **Chapter 2 @.02A Shellfish Related Illnesses Vp** | A. When the investigation outlined in Section @.01 A. ~~(6)~~ indicates the illness(es) are associated with the naturally occurring pathogen *Vibrio parahaemolyticus (V.p.)*, the Authority shall determine the number of laboratory confirmed cases epidemiologically associated with the  implicated area. States will not be expected to close growing areas based on *V.p.* cases that are reported more than thirty ~~sixty~~ (30 ~~60~~) days after harvest or when environmental parameters have changed or monitoring indicates the *V.p.* risk is reduced. Actions taken by the Authority will be  based on the number of cases and the span of time as follows. | Technical change to reduce the number of days when a Vp case can be used for closure (60 to 30 days). |
| **Chapter 2 @.02A (10) Shellfish Related Illnesses Vp** | (10) Prior to reopening an area closed as a result of @.02 A. (9)(a) or (b)~~the number of cases exceeding ten (10) illnesses within thirty (30) days or four (4) cases from a single harvest date from the implicated area~~, the Authority shall:  (a) Collect and analyze samples to ensure that tdh does not exceed 10/g and trh does not exceed 10/g; or other such values as determined appropriate by the Authority based on studies.  (i) Samples shall be collected to be representative of the area and shellfish types.;  and  (ii) Multiple sample collection events shall span the closure time period in @.02 A.(9)(a) or (b) and be collected at intervals necessary to determine trends in the implicated area. ;or  (b) Ensure that environmental conditions have returned to levels not associated with *V.p.* cases. | Technical change to list sampling requirements during a 21-day closure due to Vp illnesses. |
| **Chapter 3 @.01 A Quality Assurance** | A. NSSP Conformance Required for all laboratories supporting the NSSP. For any toxin, pathogen, bacteria, virus or other contaminant for which there is an action level specified in the NSSP and an Approved NSSP Method or Approved Limited Use Method of detection, ~~A~~all laboratory analyses generating data to support regulatory decisions shall be performed by a laboratory found to conform or provisionally conform by the FDA Shellfish LEO or FDA certified State Shellfish LEO in accordance with the requirements established under ~~the NSSP~~ Chapter I @.03 B. 1.  1) .If there is a toxin, pathogen, bacteria, virus or other contaminant for which the NSSP has no Approved NSSP Method or Approved Limited Use Method, the Authority may use a nonevaluated laboratory to generate data utilizing the best science available. In these circumstances, the Authority shall follow the procedures and guidelines defined in Chapter III @.02 Methods.  ~~(1)~~(2) Shellfish growing area closures may be made using data generated in non-evaluated laboratories. | Technical change to clarify when a nonevaluated lab can be used for regulatory purposes. |
| **Chapter 4 @.03A. Growing Area Classification** | 1. General. Each growing area shall be correctly classified as approved, conditionally approved, restricted, conditionally restricted, or prohibited, as provided by this Ordinance.     (1) Emergency Conditions. A growing area or a portion of a growing area (harvest area) shall be placed in the closed status under Section @.03 A. (5) when pollution conditions exist which were not included in the data~~base~~ used to classify the area. If it is determined that an emergency condition or situation exists, then the growing area or harvest area will be immediately (within twenty-four (24) hours) placed in the closed status. | Technical change to clarify that a portion of a growing area, not the entire growing area, may be closed during an emergency condition. |
| **Chapter 4 @.03 A.(5) Growing Area Classification** | (5) Status of Growing Areas. The status of a growing area is separate and distinct from its classification and may be open, closed, ~~controlled access in the case of biotoxins~~ or inactive for the harvesting of shellstock. Supporting information for all changes in the status of growing areas shall be documented by a written record in the central file.  (a) Open Status. Except for an area in the prohibited classification, any correctly classified growing area is normally open for the purposes of harvesting shellstock, subject to the limitations of its classification.  (b) Closed Status. Any classified growing area or harvest area may be closed ~~for a limited or temporary period~~ because of:  (i) An emergency condition or situation;  (ii) The presence of biotoxins in concentrations of public health significance;  (iii) Conditions stipulated in the management plan of conditionally approved or conditionally restricted areas;  (iv) Failure of the Authority to complete a written sanitary survey or triennial review evaluation report; or  (v) The requirements for biotoxins or conditional area management plans as established in Section @.04 and Section @.03, respectively, are met.  (c) Controlled Access Status. This status can be applied to allow harvesting in areas with biotoxin concerns where routine monitoring or pre-harvest testing is not practical.  (d) Reopened Status. A growing area or harvest area temporarily placed in the closed status as provided in (b) above, shall be returned to the open status only when:  (i) The emergency situation or condition has returned to normal and sufficient time has elapsed to allow the shellstock to reduce pathogens or poisonous or deleterious substances that may be present in the shellstock to acceptable levels.  (ii) When pathogens are of concern and the area is not impacted by human sewage, studies establishing sufficient elapsed time shall document the interval necessary for reduction of coliform levels in the shellstock to pre-closure levels. Such coliform studies may establish criteria for reopening based on coliform levels in the water.  ~~(i)~~(iii) When poisonous or deleterious substances are the concern, sampling shall establish that poisonous or deleterious substances in shellstock do not exceed FDA action levels, tolerances and/or guidance levels and/or levels that are deemed safe through risk evaluation; or  (iv) For emergency closures of harvest areas caused by the occurrence of raw untreated sewage or partially treated sewage discharged from a ~~large community~~ sewage collection system or WWSD:,  a. ~~the~~ The MSC analytical sample results in shellfish shall not exceed ~~the~~MSC levels established in Chapter IV @.02 E (4) or  b. ~~pre~~Pre-determined MSC levels in shellfish established by the Authority based on studies conducted on regional species under regional conditions from shellfish samples collected no sooner than seven (7) days after contamination has ceased and from representative locations in each growing area potentially impacted or  ~~a.~~c. ~~until~~ Until the event is over and twenty-one (21) days have passed; or  ~~(ii)~~(v) The requirements for biotoxins or conditional area management plans as established in Section @.04 and Section @.03, respectively, are met; and  ~~(iii)~~(vi) Supporting information is documented by a written record in the central file. | Technical change to clarify the status of a growing area, closure area, impacts, sampling, and closure time period. |
| **Chapter 4. @.03C(c) Growing Area Classification** | (c) For management plans based on WWSD function or pollution sources other than WWSD criteria that reliably predict when an area that was placed in the closed status because of failure to comply with its conditional management plan can be returned to the open status. The minimum reopening criteria for conditional management plans are:  (i) Performance standards of the plan are fully met;  (ii) Sufficient time has elapsed to allow the water quality in the growing area to return to acceptable levels;  (iii) Sufficient time has elapsed to allow the shellstock to reduce pathogens that might be present to acceptable levels. ~~Studies establishing sufficient elapsed time shall~~ ~~document the interval necessary for reduction of coliform levels in the shellstock to~~ ~~pre-closure levels.~~  (iv) Shellstock feeding activity is sufficient to achieve microbial pathogen reduction.  (v) If (i-iv) are met and~~The study may establish criteria for reopening based on coliform levels in the water. If~~ if the conditional management plan closureperformance standard(s) is(are) based on effects of non-point sources of pollution suchas rain events and/or storm water runoff, an area ~~can~~ may be reopened when the waterquality meets classification criteria without a shellstock cleansing study.  (vi) For conditionally managed areas based on WWSD performance standards, ~~The~~ the Authority may utilize MSC levels in shellstock to establish that sufficient time has elapsed to allow ~~the~~ water quality and shellstock to return to acceptable levels in growing areas adjacent to WWSD.  a. ~~Studies establishing sufficient elapsed time shall document the interval necessary for reduction of viral levels in the shellstock.~~ Analyticalshellstock tissue sample results shall not exceed the MSC levels establishedin Chapter IV@.02 E.(4); or  b. Ppre-determined MSC shellstock tissue levels established by the Authority based on studies conducted on regional species under regional conditions. These studies may establish criteria for reopening based on viral levels in the shellfish meats; or  ~~a~~.c. ~~t~~The area must be in the closed status until the event is over and twenty-one (21) days have passed.; ~~and~~  ~~(iii)(i) Shellstock feeding activity is sufficient to achieve microbial reduction.~~ | Technical change to clarify growing area management based on conditionally approved area management plans. |
| **Chapter 4. @.03E.(2)Prohibited Classification** | (2) General. The Authority shall:  (a) Not permit the harvest of shellstock from any area classified as prohibited, except for the gathering of seed or nursery culture for aquaculture or resource enhancement or the depletion of the areas classified as prohibited; and  (b) Ensure that shellstock removed from any growing area classified as prohibited is effectively excluded from human consumption unless it ~~is seed to be cultured as outlined in the~~complies with the criteria in NSSP Model Ordinance Chapter VI. Shellfish Aquaculture @.02 Seed Shellstock. | Technical change to adding “resource enhancement” to permitted activities within Prohibited areas. “Resource enhancement” is intended to mean wild resource enhancement. |
| **Chapter 7.03 Wet Storage in Natural Bodies of Water (Offshore)** | ~~C. Different lots of shellstock shall not be commingled in wet storage. If more than one (1) lot of shellstock is held in wet storage at the same time, the identity of each lot of shellstock shall be maintained.~~  D. Shellstock Handling.  (1) Shellstock shall be thoroughly washed with water from a source authorized by the Authority and culled prior to wet storage in tanks. Any deviation to this requirement is subject to permission from the Authority.  ~~(2) Unless the dealer is in the Authority's commingling plan under Chapter I. @.01 G., different lots of shellstock shall not be commingled during wet storage in tanks. If more than one (1) lot of shellstock is being held in wet storage at the same time, the identity of each lot of shellstock shall be maintained.~~  ~~(3)~~(2) Bivalve mollusks shall not be mixed with other species in the same tank. Where multiple tank systems use a common water supply system for bivalve mollusks and other species, wet storage process water shall be effectively disinfected prior to entering tanks containing the bivalve mollusks. | Technical change to allow different types of shellstock to be stored in wet storage at the same time. |
| **Chapter 8 @.02B Shellstock Time to Temperature Controls** | If the Authority’s Vibrio Control Plan time to temperature requirements allow for more time exposure than the @.02 A (3) temperature matrix, then the time requirements of the Vibrio Control Plan may be applied in place of @.02 A(3) temperature matrix. | Technical change to allow the Authority’s Vibrio Control Plan to supersede the time to temperature in Model Ordinance. |
| **Chapter 8.02D Shellstock Harvesting and Handling** | D. Disposal of Human Sewage and Vomitus~~Bodily Fluids~~.  (1) Human sewage and vomitus~~bodily fluids~~ shall not be discharged overboard from any vehicle or vessel used in the harvesting of shellstock.  (2) As required by the Authority, in consultation with FDA, an approved marine sanitation device (MSD), portable toilet or other sewage disposal receptacle shall be provided on the vessel or available for the vehicle operator’s use for the purpose of containing human sewage and vomitus~~bodily fluids~~. | Technical edit to change “bodily fluids” to “vomitus.” |
| **Chapter 8.03 Shellstock Harvesting in Federal Waters** | A. The harvester shall obtain a NOAA contract to land commercial shellfish harvested from Federal waters at a state certified dealer. In addition, if applicable, obtain the required NOAA NMFS managed fisheries harvester license(s) and/or permit(s)  Prior to harvesting shellfish in Federal waters from an area in the controlled access status ~~that have been implicated in an illness outbreak or where toxin producing phytoplankton are known to occur and the toxins are known to accumulate in shellfish and where~~  ~~routine monitoring of toxin levels is not conducted~~, the harvester shall:  ~~(1) Obtain a harvester license from NOAA that explains the condition for harvest and includes harvest restriction~~  ~~(2)~~(1) Enter into~~Be a party to~~ agreements or memoranda of understanding between the ~~Authority, the~~ landing state Authority, NOAA and the shellfish dealers receiving the shellfish as necessary to comply with the requirements outlined in NSSP MO, Chapter IV. @.04 B. and in accordance with Section IV. Guidance Documents Chapter IV. Growing Areas @.04 Marine Biotoxin Control .01 Guidance for Developing Marine Biotoxin Plans. | Technical change to require a NOAA contract when harvesting from Federal waters. |
| **Chapter 10.09 Federal Waters** | **.09 ~~Restricted~~ Shellfish Harvested from Federal Waters**  A. The dealer shall:  ~~(1) Obtain permission from the Authority to receive restricted shellstock prior to receipt.~~  ~~(2~~)(1) ~~Develop~~If receiving shellstock harvested from Federal waters in the controlled access status, be party to agreement ~~agreements~~ or memoranda of understanding between the Authority, ~~National Oceanic Atmospheric Administration~~ (NOAA) and the individual harvesters as necessary to comply with the biotoxin controls outlined in the NSSP Chapter IV. @.04 B. and in accordance with Section IV. Guidance Documents Chapter IV. Growing Areas @.04 Marine Biotoxin Control .01 Guidance for Developing Marine Biotoxin Plans. | Technical change to clarify requirements when harvesting from Federal Waters. |
| **Chapter 11.01A(2) Critical Control Points, Receiving Critical Limit** | (2) The dealer shall shuck and pack only shellstock obtained and transported from a dealer who has:  (a) Identified the shellstock with a tag on each container as outlined in Chapter X. .05 or transaction record with each bulk shipment as outlined in Chapter VIII. .02 F. (8); and **[C]**  (b) Provided documentation as required in Chapter IX. .05; and **[C]**  (c) Adequately iced the shellstock; or **[C]**  ~~(d) Shipped the shellstock in a conveyance at or below 45 °F (7.2 °C) ambient air temperature; and~~ **~~[C]~~**  ~~(e)~~(d) Cooled the shellstock to an internal temperature of 50 °F (10 °C) or less.**[C]** | Technical edit to remove shipping temperatures because it is redundant information required in Chapter 9, as stated in (2)(b). |
| **Chapter 11.02A(4) Sanitation** | (4) Plumbing and Related Facilities.  (a) The dealer shall design, install, modify, repair, and maintain all plumbing and plumbing fixtures to:  (i) Prevent contamination of water supplies; **[SC/K]**  (ii) Prevent any cross-connection between the pressurized potable water supply and water from unacceptable source. **[SC/K]** The dealer shall install and maintain in good working order devices to protect against backflow and back siphonage, in accordance with the manufacturer’s specifications. Backflow and back siphonage devices not rated for pressure shall not be subjected to continuous pressure. | Technical change to add clarification about backflow devices. |
| **Chapter 13.01A(2) Critical Control Points, Receiving Critical Limits** | (2) The dealer shall ship or repack only shellstock obtained and transported from a dealer who has:  (a) Identified the shellstock with a tag on each container as outlined in Chapter X..05; and **[C]**  (b) Provided documentation as required in Chapter IX. .05; and **[C]**  (c) Adequately iced the shellstock; or **[C]**  ~~(d) Shipped the shellstock in a conveyance at or below 45 °F (7.2 °C) ambient air temperature; and~~ **~~[C]~~**  ~~(e)~~(d) Cooled the shellstock to an internal temperature of 50 °F (10 °C) or less. **[C]** | Technical edit to remove shipping temperatures because it is redundant information required in Chapter 9, as stated in (2)(b). |
| **Chapter 13.02A(4) Sanitation** | (4) Plumbing and Related Facilities. The dealer shall design, install, modify, repair, and maintain all plumbing and plumbing fixtures to:  (a) Prevent contamination of water supplies; **[SC/K]**  (b) Prevent any cross-connection between the pressurized potable water supply and water from an unacceptable source **[SC/K]** The dealer shall install and maintain in good working order devices to protect against backflow and back siphonage, in accordance with the manufacturer’s specifications. Backflow and back siphonage devices not rated for pressure shall not be subjected to continuous pressure. **[K]** | Technical change to add clarification about backflow devices. |

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