



the
Conference
for FOOD
PROTECTION

April 29, 2013

Dear Retail Food Program Manager:

We are writing to you on a matter of importance to the health and safety of consumers in your state. Raw molluscan shellfish, including oysters, clams, and mussels, are enjoyed by consumers throughout the United States. While these foods are wholesome and nutritious, they require careful handling and special controls to prevent foodborne illness. These controls include being harvested from approved waters; shucking, processing, packing, and shipping by certified shellfish handlers only; and detailed identification tags on each container. These requirements help ensure that only safe shellfish reach consumers.

As we all know there is a risk of foodborne illness with this potentially hazardous food. Shellfish identification tags provide supply chain traceability for products implicated in illness outbreaks. This makes the job of containing an outbreak much more manageable for you and shellfish dealers. For that reason, it is essential that the controls applicable to raw molluscan shellfish be applied at every step of distribution from harvest to market. If food retailers fail to maintain lot separation and identification information for each container of oysters, clams, and mussels sold, it is not possible to isolate contaminated lots.

The **Food Code**, authored by the US Food and Drug Administration, contains specific recommendations for food retailers who handle raw molluscan shellfish. These are summarized as follows:

- 1) All suppliers of raw molluscan shellfish (including shippers and re-shippers) must be certified by a shellfish control agency;

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- 2) Packages must be properly labeled with the name, address and certification number of each harvester, shucker, packer, or dealer who handled the package;
- 3) Label declaration of a "Sell by" date (shucked shellfish only);
- 4) Label declaration of a date and location of harvest (shellstock only);
- 5) Statement on the label that states that tags must remain on packages until empty and then be retained for 90 days after sale;
- 6) No commingling of raw molluscan shellfish from different containers.

For details of these requirements please refer to the **Food Code** 2009 sections 3-202.17, 3-202.18, 3-202.19, 3-203.11 and 3-203.12. The **Food Code** is available for download or viewing at

<http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/>.

The Conference for Food Protection (CFP) is a coalition of regulators and food industry professionals whose goal is the promotion of food safety through collaboration. The Interstate Shellfish Sanitation Conference (ISSC) promotes cooperation and trust among shellfish control agencies, the shellfish industry, and consumers of shellfish; and insures the safety of shellfish products consumed in the United States. Both the CFP and the ISSC strongly urge you to educate retail food establishment operators in your jurisdiction on the proper methods of handling raw molluscan shellfish, and to take enforcement action where applicable to ensure the requirements are followed. Should you have any questions please contact Dr. David McSwane at dmcswane.cfp@gmail.com or Mr. Ken Moore at issc@issc.org.

Sincerely,

David McSwane

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