

RCW 69.30.050 Shellfish growing areas—Requirements to harvest—Certificates of approval. (1) It is unlawful for a person to harvest shellfish from shellfish growing areas in a commercial quantity or for sale for human consumption unless the shellfish growing area:

(a) Has a valid certificate of approval; and
(b) Meets the requirements of this chapter and the rules adopted under this chapter.

(2) A person may not remove shellfish in a commercial quantity or for sale for human consumption from a shellfish growing area in the state of Washington unless:

(a) The person has received a certificate of approval for the shellfish growing area from the department; and

(b) Approved shellfish tags are affixed to each container of shellstock prior to removal from the shellfish growing area, except bulk tagging is permitted as allowed in the national shellfish sanitation program model ordinance.

(3) Before issuing a certificate of approval, the department shall inspect the shellfish growing area. The department shall issue a certificate of approval if the area meets the requirements of this chapter and the rules adopted under this chapter.

(4) A certificate of approval is valid for a period of twelve months. The department may revoke a certificate of approval at any time the area is found out of compliance with the requirements of this chapter or the rules adopted under this chapter.

(5) It is unlawful to remove shellfish from shellfish growing areas without a certificate of approval in a commercial quantity for purposes other than human consumption, including but not limited to use as bait or seed, unless:

(a) The shellfish operation and shellfish growing area is readily available to monitoring and inspections; and

(b) The department has determined the shellfish operation is designed to ensure that shellfish harvested from such an area is not diverted for human consumption.

(6) Nothing in this section prohibits a person from removing shellfish for use as bait or seed from an approved shellfish growing area.

(7) The department's certificate of approval to harvest shellfish for purposes other than human consumption shall specify:

(a) The date or dates and time of harvest;

(b) All applicable conditions of harvest;

(c) Identification by tagging, dying, or other department-approved means; and

(d) Information about the removal method, transportation method, processing technique, sale details, and other factors to ensure that shellfish harvested from such areas are not diverted for human consumption. [2011 c 194 s 4; 1995 c 147 s 3; 1985 c 51 s 2; 1955 c 144 s 5.]