

1 15A NCAC 18A .0140 is proposed for readoption without substantive changes as follows:

2

3 **15A NCAC 18A .0140 FLOORS**

4 Floors shall be of concrete or other equally impervious material, constructed so that they may be easily cleaned and
5 shall be sloped so that water drains.

6

7 *History Note: Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.*

8 *Eff. October 1, 1992;*

9 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0141 is proposed for reoption without substantive changes as follows:

2

3 **15A NCAC 18A .0141 WALLS AND CEILINGS**

4 (a) Walls and ceilings shall be constructed of smooth, easily cleanable, non-corrosive, impervious material.

5 (b) Insulation on cooked crustacea cooler walls shall be covered to the ceiling with a smooth, easily cleanable,
6 non-corrosive, impervious material.

7 (c) Doors and windows shall be properly fitted and maintained in good repair.

8

9 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

10 *Eff. October 1, 1992;*

11 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0142 is proposed for reoption without substantive changes as follows:

2

3 **15A NCAC 18A .0142 LIGHTING**

4 (a) Natural or artificial lighting shall be provided in all parts of the facility. Minimum lighting intensities shall be as
5 follows:

6 (1) 50 foot-candles on working surfaces in the picking and packing rooms and areas.

7 (2) 10 foot-candles measured at a height of 30 inches above the floor throughout the rest of the
8 processing portion of the facility.

9 (b) Light bulbs within the processing portion of the facility shall be shatterproof or shielded to prevent product
10 contamination in case of breakage.

11

12 *History Note: Authority G.S. ~~130A-230~~;113-134; 113-182; 113-221.2; 143B-289.52.*

13 *Eff. October 1, 1992;*

14 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0143 is proposed for readoption without substantive changes as follows:

2

3 **15A NCAC 18A .0143 VENTILATION**

4 All rooms and areas shall be ventilated.

5

6 *History Note:* Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.

7 *Eff. October 1, 1992;*

8 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0146 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0146 PREMISES**

4 (a) Premises under the control of the owner shall be kept clean at all times. Waste materials, rubbish, other ~~articles~~
5 articles, or litter shall not be permitted to accumulate on the premises. Other items shall be properly stored.

6 (b) Measures shall be taken to prevent the harborage and breeding of insects, ~~rodents~~rodents, and other vermin on
7 premises.

8

9 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

10 *Eff. October 1, 1992;*

11 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0150 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0150 SEWAGE DISPOSAL**

4 All sewage and other liquid wastes shall be disposed of in a public sewer system or in the absence of a public sewer
5 system, by an on-site method approved by the Division of Marine Fisheries or the Department of ~~Environment, Health,~~
6 ~~and Natural Resources.~~ Environmental Quality.

7

8 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

9 *Eff. October 1, 1992;*

10 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0154 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0154 EMPLOYEES' PERSONAL ARTICLES**

4 Employees' street clothing, aprons, ~~gloves-gloves,~~ and personal articles shall not be stored in rooms or areas described
5 in Rule .0159(b) of this Section.

6

7 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

8 *Eff. October 1, 1992;*

9 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0155 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0155 SUPPLY STORAGE**

4 Shipping containers, ~~boxes~~boxes, and other supplies shall be stored in a storage room or area. The storage room or
5 area shall be kept clean.

6

7 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

8 *Eff. October 1, 1992;*

9 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0159 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0159 SEPARATION OF OPERATIONS**

4 (a) Facility design shall provide for continuous flow of raw materials and product to prevent contamination by
5 exposure to areas involved in earlier processing steps, ~~refuse-refuse~~, or other areas subject to contamination.

6 (b) The following processes shall be carried out in separate rooms or areas:

7 (1) ~~Raw-raw~~ crustacea receiving or ~~refrigeration-refrigeration~~;

8 (2) ~~Crustacea cooking-crustacea~~ cooking;

9 (3) ~~Cooked-cooked~~ crustacea ~~air-cool-air-cool~~;

10 (4) ~~Cooked-cooked~~ crustacea ~~refrigeration-refrigeration~~;

11 (5) ~~Picking-picking~~;

12 (6) ~~Packing-packing~~;

13 (7) ~~Picked-picked~~ crustacea meat ~~refrigeration-refrigeration~~;

14 (8) ~~Pasteurizing/thermal processing-pasteurizing~~ or thermal processing;

15 (9) ~~Machine picking-machine~~ picking;

16 (10) ~~Repacking-repacking~~; and

17 (11) ~~Other-other~~ processes when carried out in conjunction with the cooking of crustacea or crustacea
18 meat.

19

20 *History Note: Authority G.S. ~~130A-230;113-134; 113-182; 113-221.2; 143B-289.52.~~*

21 *Eff. October 1, 1992;*

22 *Amended Eff. April 1, 1997;*

23 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0160 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .0160 RAW CRUSTACEA RECEIVING AND REFRIGERATION**

4 (a) Only fresh crustacea shall be accepted for processing.

5 (b) Within two hours of receipt at the facility, crustacea shall be cooked or placed in a refrigerated area maintaining
6 a temperature of 50° F (~~40~~(10° C) or below.

7

8 *History Note:* Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~

9 *Eff. October 1, 1992;*

10 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0163 is proposed for readoption without substantive changes as follows:

2

3 **15A NCAC 18A .0163 COOKED CRUSTACEA REFRIGERATION**

4 (a) The cooked crustacea cooler shall be large enough to store all cooked crustacea and maintain a minimum
5 temperature of 40° F (4.4° C). The cooler shall open directly into the picking room or into a clean, enclosed area
6 leading into the picking room.

7 (b) Cooked crustacea shall be stored at a temperature between 33° F (0.5° C) and 40° F (4.4° C) ambient air
8 temperature if not immediately processed. The cooler shall be equipped with an accurate, operating thermometer.

9

10 *History Note:* Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.

11 Eff. October 1, 1992;

12 Readopted Eff. April 1, 2021.

1 15A NCAC 18A .0167 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .0167 DELIVERY WINDOW OR SHELF**

4 A delivery window or a non-corrosive shelf shall be provided between the picking room and packing room or area.

5 The delivery window shall be equipped with a shelf completely covered with smooth, non-corrosive metal or other
6 material approved by the Division of Marine Fisheries and sloped to drain towards the picking room.

7

8 *History Note: Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.*

9 *Eff. October 1, 1992;*

10 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0169 is proposed for reoption without substantive changes as follows:

2

3 **15A NCAC 18A .0169 FREEZING**

4 (a) If crustacea or crustacea meat is to be frozen, the code date shall be followed by the letter "F."

5 (b) Frozen crustacea or crustacea meat shall be stored at a temperature of 0° F (-18° C) or less.

6 (c) The frozen storage rooms shall be equipped with an accurate, operating thermometer.

7

8 *History Note: Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.*

9 *Eff. October 1, 1992;*

10 *Amended Eff. August 1, 2002; April 1, 1997;*

11 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0170 is proposed for readoption without substantive changes as follows:

2

3 **15A NCAC 18A .0170 SHIPPING**

4 Cooked crustacea and crustacea meat shall be shipped between 33° F (0.5° C) and 40° F (4.4° C). Frozen crustacea
5 products shall be shipped at 0° F (-18° C) or below.

6

7 *History Note: Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.*

8 *Eff. October 1, 1992;*

9 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0171 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0171 WHOLE CRUSTACEA OR CRUSTACEA PRODUCTS**

4 Whole crustacea, ~~claws-claws,~~ or any other crustacea products shall be prepared, ~~packaged-packaged,~~ and labeled in
5 accordance with the rules of this Section.

6

7 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

8 *Eff. October 1, 1992;*

9 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0172 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .0172 COOKED CLAW SHIPPING CONDITIONS**

4 (a) Vehicles used to transport cooked claws shall be mechanically refrigerated, enclosed, tightly constructed, kept
5 ~~clean~~ clean, and equipped with an operating thermometer.

6 (b) Cooked crab claws shall be stored and transported between 33° F (0.5° C) and 40° F (4.4° C) ambient air
7 temperature.

8 (c) All vehicles shall be approved by the Division of Marine Fisheries prior to use.

9 (d) Cooked claw shipping containers shall be marked for intended use, ~~cleaned~~ cleaned, and sanitized prior to use and
10 approved by the Division.

11

12 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

13 *Eff. October 1, 1992;*

14 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0179 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .0179 RECALL PROCEDURE**

4 Each owner of a cooked crustacea or crustacea meat facility or repacker facility shall keep on file a written product
5 recall procedure. A copy of this recall procedure shall be provided to the ~~Division~~Division of Marine Fisheries.

6

7 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

8 *Eff. October 1, 1992;*

9 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0180 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .0180 SAMPLING AND TESTING**

4 Samples of cooked crustacea or crustacea meat may be taken and examined by the Division of Marine Fisheries at
5 any time or place. Samples of cooked crustacea or crustacea meat shall be furnished by the owner or operator of
6 facilities, trucks, carriers, stores, ~~restaurants~~ restaurants, and other places where cooked crustacea or crustacea meat
7 are sold.

8

9 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~*

10 *Eff. October 1, 1992;*

11 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0188 is proposed for reoption without substantive changes as follows:

2

3 **15A NCAC 18A .0188 HAZARD ANALYSIS**

4 Each dealer shall conduct a hazard analysis to determine the food safety hazards that are reasonably likely to occur
5 for each kind of crustacea or crustacea meat product processed by that dealer and to identify the preventative measures
6 that the dealer can apply to control those hazards.

7

8 *History Note: Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.*

9 *Eff. August 1, 2000;*

10 *Readopted Eff. April 1, 2021.*

1 15A NCAC 18A .0189 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .0189 HACCP PLAN**

4 Each dealer shall have and implement a written ~~HACCP~~ Hazard Analysis and Critical Control Points (HACCP) Plan.

5 The owner or authorized designee shall sign the plan when implemented and after any modification. The plan shall be
6 reviewed and updated, if necessary, at least annually. The plan shall, at a minimum:

7 (1) ~~List~~ list the food safety hazards that are reasonably likely to occur;

8 (2) ~~List~~ list the critical control points for each of the food safety hazards;

9 (3) ~~List~~ list the critical limits that must be met for each of the critical control points;

10 (4) ~~List~~ list the procedures, and frequency thereof, that will be used to monitor each of the critical
11 control points to ensure compliance with the critical limits;

12 (5) ~~List~~ list any corrective action plans to be followed in response to deviations from critical limits at
13 critical control points;

14 (6) ~~Provide~~ provide a record keeping system that documents critical control point monitoring; and

15 (7) ~~List~~ list the verification procedures, and frequency thereof, that the dealer will use.

16

17 *History Note:* Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52.~~

18 Eff. August 1, 2000;

19 Readopted Eff. April 1, 2021.

1 15A NCAC 18A .0190 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .0190 SANITATION MONITORING REQUIREMENTS**

4 Each dealer shall monitor, at a minimum, the following sanitation items:

5 (1) ~~Safety~~ safety of water;

6 (2) ~~Condition~~ condition and cleanliness of food contact surfaces;

7 (3) ~~Prevention~~ prevention of cross contamination;

8 (4) ~~Maintenance~~ maintenance of hand washing, hand ~~sanitizing~~ sanitizing, and toilet facilities;

9 (5) ~~Protection~~ protection of crustacea or crustacea meat, crustacea or crustacea meat packaging
10 ~~materials~~ materials, and food contact surfaces from adulteration;

11 (6) ~~Proper~~ proper labeling, ~~storage~~ storage, and use of toxic compounds;

12 (7) ~~Control~~ control of employees with adverse health conditions; and

13 (8) ~~Exclusion~~ exclusion of pests from the facility.

14

15 *History Note:* Authority G.S. ~~130A-230~~; 113-134; 113-182; 113-221.2; 143B-289.52.

16 Eff. August 1, 2000;

17 Readopted Eff. April 1, 2021.