



Selling Raw Shellfish



Raw shellfish can pose serious risks to consumers if not received, handled and sold in the proper manner. North Carolina has placed special requirements on the sale of raw shellfish to help protect the public. The following are answers to frequently asked questions related to the sale of raw shellfish in this state.

What are raw shellfish?

Any species of mussel, clam or oyster – whether live in the shell, shucked, half-shell, fresh or frozen— that has not been subjected to a cooking process.

Are scallops considered shellfish?

Only when scallops are sold live in their shells or when they are shucked **and** still have the gut material attached are they considered shellfish. When only scallop meats, or muscle tissue, are sold they are NOT considered shellfish under North Carolina rules. The scallop meats are handled as fish or other seafood products.

What is a consumer advisory sign?

It is a sign warning consumers with certain medical conditions of possible adverse health effects from consuming raw shellfish. Anyone selling raw shellfish in North Carolina must post a consumer advisory sign where it can be readily viewed by customers before they purchase shellfish.

What methods of refrigeration are required for transporting, storing and displaying raw shellfish?

Live, in-shell shellfish must be kept under mechanical refrigeration at all times. Ice **cannot** be used as the sole means of refrigeration of live shellfish. Containers of shucked shellfish can either be stored in ice **or** they can be stored under mechanical refrigeration.

What are the holding temperature requirements for raw shellfish?

Live shellfish are required to be held at 45°F or less, and shucked shellfish should be held at 40°F or less.

Can shellfish be removed from their original containers prior to sale?

No. All raw shellfish must remain in the containers in which they were packed at the source until they are sold to a retail customer. This includes shipping, storage and display. Shellfish can be removed from their original container **only** at the time of sale to a customer.

Can live shellfish be held in water, as in a display tank or storage bin?

No. Live shellfish **cannot** be shipped, stored or displayed in any water or other liquid at any time. Holding shellfish in water can lead to contamination of the shellfish and is strictly prohibited without a specific permit issued by the N.C. Shellfish Sanitation and Recreational Water Quality Section.

What are shellfish tags?

Any container of live shellfish, other than those packed in a master carton (please refer to the next paragraph), must have a shellfish tag attached when received by the retailer. The tag must remain on the container until all shellfish in the container are sold or discarded. The tag must then be kept on file by the retailer for 90 days. The filed tags must be readily available for inspection by authorized public health inspectors. Tags are very important for tracing the source of shellfish in the event of an illness.

Individual containers of live shellfish can be received without tags **only if** they are packed in a master carton by a certified shellfish dealer **and** that carton contains a master tag indicating the volume of individual packages within the carton. The master tag must remain on the master carton until that carton is empty, and then it must be kept on file for 90 days. A master carton must be maintained intact and be shipped to a single retailer only.

What should I look for when examining a shellfish tag at receiving?

Information on the tag must include: the shellfish dealer's name, address and state certification number; the harvest area and date of harvest; the type and quantity of the shellfish; a notice to keep the tag on file for 90 days; and a consumer advisory notice.

All tags must be legible, complete and be made of material approved by Shellfish Authorities. Homemade tags made of scraps of paper, cardboard or other material are not acceptable. It is the retailer's responsibility to ensure that tags are present and legible. A retailer should not take receipt of shellfish with missing or questionable tags.

Can raw shellfish be affected by other food products?

Yes. Care must be taken to keep raw shellfish, especially live shellfish, away from other raw seafood or food products. Bacteria from other raw products can easily contaminate shellfish. Always store and display shellfish away from other products, dripping condensate or dirty ice, and above the floor.

Do containers of shucked shellfish require special labeling?

Yes. All containers of shucked shellfish must have the following information on the label: shellfish dealer's or distributor's name, address and state or international shellfish certification number.

Any container of 0.5 gallons or less must also have a sell-by date listed. Those with a volume of greater than 0.5 gallons must have a shucked date listed on the lid and container body. Shucked dates on containers of frozen shellfish must also have the year listed.

Are there restrictions on the sale of raw shellfish that originate from foreign countries?

Yes. Raw shellfish produced by certified shellfish firms in only the following countries can be sold in North Carolina: Canada, Chile, Korea, Mexico and New Zealand. Raw shellfish from any other country are not approved for sale in this state at this time.

Foreign and U.S. firms currently certified for interstate sales of shellfish can be viewed on the U.S. Food and Drug Administration's Interstate Certified Shellfish Shippers List. This list is updated regularly and can be accessed by going to the Interstate Shellfish Sanitation Conference Web site at: www.issc.org.

Can I shuck and pack my own shellfish?

No. With the exception of limited "shucking" of shellfish and returning them to their original shells (as in the case of serving oysters at a raw bar, for example) only certified shellfish-shucking facilities are permitted to shuck and pack shellfish.

The following questions are primarily addressed under N.C. Rules Governing the Sanitation of Food Service Establishment; please contact your county health department for more details.

Can shellfish shells be reused for serving food?

No. A shellfish can be removed from its original shell and returned to that same shell prior to serving; or a limited number of shellfish can be removed from their shells, combined with other products and returned to the same group of shells during preparation of a dish to be served that day. After either use the shells cannot be reused to serve food.

Is it acceptable to use natural shellfish shells from other sources for serving food?

No. Natural shells are not easily cleanable and are not considered acceptable food contact items.

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