

15A NCAC 18A .0429 EMBARGO OR DISPOSAL OF SHELLFISH

(a) When it has been determined by the Division of Marine Fisheries that shellfish have not been grown, harvested, stored, treated, transported, handled, shucked, packed, or offered for sale in compliance with Sections .0300 through .0900 of this Subchapter, those shellfish may be deemed adulterated in accordance with Rule .0438 of this Section, except as required in Rules .0405 and .0430 of this Section.

(b) Shellfish or shellfish products processed or prepared for sale to the public determined to be adulterated or misbranded shall be subject to embargo or disposal by the Division in accordance with G.S. 113-221.4. The authority of marine fisheries inspectors to seize shellfish or shellfish products pursuant to G.S. 113-137 shall not be affected by this Rule.

(c) If voluntary disposal of adulterated or misbranded shellfish or shellfish products is alternatively chosen by the shellfish dealer, responsible individual, or other person or facility specified in Rule .0401 of this Section, the product disposal shall be observed by a Division employee.

History Note: Authority G.S. 113-134; 113-182; 113-221.2; 113-221.4; 143B-289.52;
Eff. February 1, 1987;
Readopted Eff. April 1, 2024.