

15A NCAC 18A .0502 GRADING SHELLSTOCK AND COMMINGLING

(a) For the purpose of this Rule:

- (1) "commingling" shall mean the act of combining different lots of shellfish harvested on different days in the same growing area or combining different lots of shellstock harvested from different growing areas.
- (2) "lot" shall mean clams from one day's harvest, from a single growing area, harvested by one or more harvesters.

(b) The grading of shellstock by a shellfish dealer shall be conducted only in a permitted shellstock plant.

(c) A grading room or area separate from other processing operations shall be required for the grading of shellstock.

(d) The grader used to grade shellstock, and any other accessories or tables used in the grading operation, shall be constructed to be easily cleanable and shall be kept in good repair.

(e) Shellfish dealers shall not commingle any shellfish, except for clams with prior approval of a commingling plan by the Division of Marine Fisheries. A commingling plan shall be approved by the Division based on limiting the dates of harvest and growing areas and maintaining lot identity so that each individual lot of shellfish can be traced back to its harvest source.

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