

15A NCAC 18A .0421 RECORDS

(a) All shellfish dealers who conduct any business of buying, selling, or shipping shellfish shall keep an accurate, daily record that shall show the names of all persons from whom shellfish are received, the address of any shellfish dealer from whom shellfish are received, the location of the source of shellfish, and the names and addresses of all persons to whom shellfish are sold or shipped with the exception of retail sales. For the purpose of this Rule, "retail sale" shall be defined as the sale of shellfish directly to end consumers. These records shall be kept on file for a minimum of one year for fresh shellfish, and a minimum of two years for frozen shellfish. All records shall be open to inspection by the Division of Marine Fisheries at the dealer facility at any time during business hours.

(b) All shellfish dealers who receive shellstock from licensed harvesters shall record the following information at the time of receipt:

- (1) harvester name;
- (2) harvest area;
- (3) time of the start of harvest;
- (4) quantity and type of shellfish received;
- (5) time shellfish were received; and
- (6) time shellfish were mechanically refrigerated.

(c) Each shellfish shipment shipped by a shellfish dealer shall be accompanied by a shipping document that includes:

- (1) name, address, and certification number of shipping dealer;
- (2) name and address of major consignee;
- (3) type and quantity of shellfish product;
- (4) date and time of shipment;
- (5) documentation that shipping conveyance is pre-chilled at 45°F or below prior to shipment; and
- (6) temperature of shellstock recorded by shipping dealer at time of shipment.

(d) A dealer receiving a shellfish shipment from another shellfish dealer shall record the temperature of the shipping conveyance and the temperature of the shellfish product received. These records shall be kept on file for a minimum of one year for fresh shellfish, and a minimum of two years for frozen shellfish. All records shall be open to inspection by the Division at the dealer facility at any time during business hours.

(e) Within 72 hours of any purchase or sale of shellfish, each purchase or sale shall be entered into a permanently bound ledger book, computer record, or any other method that permanently records the information and is organized so that it can be reviewed by the Division.

*History Note: Authority G.S. 113-134; 113-182; 113-221.2; 143B-289.52;
Eff. February 1, 1987;
Amended Eff. August 1, 1998;
Readopted Eff. April 1, 2024.*