

## **ADOPTIONS**

### **HEALTH**

#### **PUBLIC HEALTH SERVICES BRANCH**

#### **DIVISION OF EPIDEMIOLOGY, ENVIRONMENTAL AND OCCUPATIONAL HEALTH**

#### **CONSUMER, ENVIRONMENTAL AND OCCUPATIONAL HEALTH SERVICE PUBLIC**

#### **HEALTH AND FOOD PROTECTION PROGRAM**

#### **Notice of Readoption**

#### **Shellfish**

#### **Readoption: N.J.A.C. 8:13**

Authority: N.J.S.A. 24:2-1.

Authorized By: Jeffrey A. Brown, Acting Commissioner, Department of Health.

Effective Date: June 3, 2025.

New Expiration Date: June 3, 2032.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 8:13, Shellfish, were scheduled to expire on September 17, 2025.

N.J.A.C. 8:13 governs the sanitation and recordkeeping requirements for the handling, processing, and shipping of raw molluscan shellfish. Subchapter 1 establishes the standards for sanitation, handling, shipping, and shucking of shellfish. Subchapter 2 establishes the standards for the depuration of hard-shell and soft-shell clams. The rules also specify the requirements for certification of shellfish plants based on the shellfish processing and handling operations conducted. The readopted rules would continue to impose requirements on persons desiring to engage or continuing to

engage in the wholesale handling, shipping, shucking, repacking, wet storage, and depurating of shellfish.

The Department of Health is developing rulemaking to revise and update existing N.J.A.C. 8:13, and anticipates filing this rulemaking with the Office of Administrative Law for processing in the ordinary course. However, this rulemaking could not be proposed prior to the expiration of existing N.J.A.C. 8:13.

The Acting Commissioner has reviewed N.J.A.C. 8:13 and determined that, pending the finalization of the anticipated rulemaking described above, the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive for the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:13 is readopted and shall continue in effect for a seven-year period.