CS FOR HOUSE BILL NO. 208(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered: 4/3/95
Referred: Rules

Sponsor(s): REPRESENTATIVES MOSES, Austerman, Williams, Mackie, Grussendorf, Elton, Kubina, Phillips

SENATORS Leman, Zharoff, Lincoln, Hoffman

A BILL

FOR AN ACT ENTITLED

"An Act relating to seafood processing permits and hazard analysis critical control point plans; relating to seafood processing plans of operation and quality assurance plans; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 03.05.011(a) is amended to read:

(a) To carry out the requirements of this title, the commissioner of environmental conservation may issue orders, regulations, permits, quarantines, and embargoes relating to

(1) examination and inspection of premises containing products, articles, and commodities carrying pests;

(2) establishment of quarantines for eradication of pests;

(3) establishment of standards and labeling requirements pertaining to the sale of meat, fish, and poultry;

(4) tests and analyses that may be made and hearings that
(WHICH) may be held to determine whether the commissioner will issue a stop order or quarantine;

(5) cooperation with federal and other state agencies;

(6) regulation of fur farming; for purposes of this paragraph, "fur farming" means the raising of and caring for animals for the purpose of marketing their fur, or animals themselves for breeding stock;

(7) examination and inspection of meat, fish, and poultry advertised for sale or sold to the public;

(8) enforcement of **hazard analysis critical control point programs for seafood processing that are [QUALITY ASSURANCE PLANS]** developed in cooperation with appropriate industry representatives or that are established by federal regulation and adopted by the department;

(9) establishment of standards and conditions for the operation and siting of aquatic farms and related hatcheries, including

   (A) restrictions on the use of chemicals; and

   (B) requirements to protect the public from contaminated aquatic farm products that pose a risk to health;

(10) monitoring aquatic farms and aquatic farm products to ensure compliance with this chapter and with the requirements of the national shellfish sanitation program manual of operations published by the Food and Drug Administration.

* Sec. 2. AS 03.05.025(a) is amended to read:

   (a) A person may not operate a seafood processing establishment or seafood processing vessel [WITHOUT A PLAN OF OPERATION APPROVED IN WRITING BY THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION AND] without a seafood processing permit issued by the Department of Environmental Conservation. A seafood processing [COMMISSIONER OF ENVIRONMENTAL CONSERVATION THAT INCORPORATES THE PLAN OF OPERATION. TO BE VALID, A PLAN OF OPERATION OR A] permit issued under this section must be renewed annually.

* Sec. 3. AS 03.05.025(b) is repealed and reenacted to read:

New Text Underlined [DELETED TEXT BRACKETED]
(b) A person may not operate a seafood processing establishment or a seafood processing vessel to process seafood, other than for the production of a fresh or frozen seafood product, without having a plan of operation approved in writing by the Department of Environmental Conservation. An approved plan of operation is not subject to further review or approval by the department unless an amendment of the plan is necessitated by a change in

(1) the operation of the establishment or vessel; or

(2) a product produced or process conducted at the establishment or vessel.

* Sec. 4. AS 03.05.025(b) is repealed and reenacted to read:

(b) A person may not operate a seafood processing establishment or a seafood processing vessel without a written hazard analysis critical control point plan that explains the procedures used at each critical control point in the operation of the seafood processing establishment or the seafood processing vessel. The Department of Environmental Conservation may review, and comment on, the completeness of the hazard analysis critical control point plan prepared for a seafood processing establishment or a seafood processing vessel; however, the department may not require annual submission of the plan unless a change in operation, product, or process necessitates a change in the plan. In this subsection, "critical control point" means a point in the seafood production process where a high probability exists that improper controls may cause, allow, or contribute to a health hazard in the final seafood product.

* Sec. 5. Notwithstanding AS 03.05.025, as amended by secs. 2 and 3 of this Act, a seafood processing permit that was issued under the current provisions of AS 03.05.025 and that is in effect on the day before the effective date of sec. 2 of this Act, remains in effect for the remainder of the annual period for which the permit was issued or renewed.

* Sec. 6. Sections 1 and 4 of this Act take effect on the effective date of regulations adopted by the Food and Drug Administration that establish procedures for ensuring safe processing of fish and fishery products in accordance with hazard analysis critical control point principles. The commissioner of environmental conservation shall notify the revisor of statutes of the date on which the regulations described in this section take effect.