

HOUSE BILL NO. 208

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MOSES, Austerman, Williams, Mackie, Grussendorf, Elton, Kubina, Phillips

Introduced: 2/28/95

Referred: House Special Committee on Fisheries

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to seafood processing plans of operation and seafood processing
2 standard operating procedures; relating to quality assurance plans; and providing
3 for an effective date."

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

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

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

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

11 (2) establishment of quarantines for eradication of pests;

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

14 (4) tests and analyses that [WHICH] may be made and hearings that

1 [WHICH] may be held to determine whether the commissioner will issue a stop order
2 or quarantine;

3 (5) cooperation with federal and other state agencies;

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

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

9 (8) **establishment of the standard operating procedures described**
10 **in AS 03.05.025(c)** [ENFORCEMENT OF QUALITY ASSURANCE PLANS
11 DEVELOPED] in cooperation with appropriate industry representatives;

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

14 (A) restrictions on the use of chemicals; and

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

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

21 * **Sec. 2.** AS 03.05.025 is amended to read:

22 Sec. 03.05.025. SEAFOOD PROCESSING PERMITS, [AND] PLANS OF
23 OPERATION, **AND STANDARD OPERATING PROCEDURES**. (a) A person
24 may not operate a seafood processing establishment or seafood processing vessel
25 without a plan of operation approved in writing by the commissioner of environmental
26 conservation and without a **seafood processing** permit issued by the commissioner of
27 environmental conservation that incorporates the plan of operation. To be valid, [A
28 PLAN OF OPERATION OR] a permit issued under this section must be renewed
29 annually.

30 (b) A plan of operation required by this section **must be consistent with the**
31 **hazard analysis critical control point procedures for seafood production**

1 established by regulations of the Food and Drug Administration. In this
2 subsection, "critical control point" means a point in the seafood production
3 process where a high probability exists that improper controls may cause, allow,
4 or contribute to a health hazard in the final seafood product [SHALL DESCRIBE:

5 (1) THE PROPOSED WATER SUPPLY AND WATER TREATMENT
6 TO BE USED FOR PROCESSING FISH AND FISH PRODUCTS AND FOR
7 CONSUMPTION BY HUMANS;

8 (2) THE PROPOSED MEANS OF WASTE TREATMENT AND
9 DISPOSAL TO BE USED;

10 (3) THE PROPOSED SEAFOOD AND SEAFOOD PRODUCT
11 HANDLING, CLEANING, CANNING, FREEZING, STORAGE, AND
12 TRANSPORTATION SYSTEMS TO BE USED;

13 (4) THE PROPOSED MEANS TO BE USED TO ENSURE
14 CLEANLINESS, SANITATION, WHOLESOMENESS, AND PREVENTION OF
15 CONTAMINATION OF THE SEAFOOD AND SEAFOOD PRODUCTS;

16 (5) THE PROPOSED MEANS OF SURVEILLANCE TO BE USED TO
17 ASSURE PRODUCT SANITATION, INTEGRITY OF THE PRESERVATION
18 PROCESS, AND PRODUCT SAFETY; AND

19 (6) OTHER INFORMATION THAT THE COMMISSIONER OF
20 ENVIRONMENTAL CONSERVATION MAY REQUIRE BY REGULATION].

21 * **Sec. 3.** AS 03.05.025 is amended by adding a new subsection to read:

22 (c) A person may not operate a seafood processing establishment or seafood
23 processing vessel without written standard operating procedures that address the
24 following nonhealth hazard regulatory issues:

25 (1) product cleanliness, wholesomeness, and integrity;

26 (2) processing plant sanitation, water treatment, and waste disposal.

27 * **Sec. 4.** (a) Notwithstanding AS 03.05.025, as amended by sec. 2 of this Act, a seafood
28 processing permit that was issued under the current AS 03.05.025 and that is in effect on the
29 effective date of sec. 2 of this Act, and the plan of operation incorporated as part of the
30 permit, remain in effect for the remainder of the annual period for which the permit was
31 issued or renewed.

1 (b) A person who operates a seafood processing establishment or seafood processing
2 vessel that is exempt under (a) of this section from compliance with provisions of
3 AS 03.05.025, as amended by sec. 2 of this Act, is also exempt from the requirement for
4 written standard operating procedures under AS 03.05.025(c), as added by sec. 3 of this Act,
5 until the exemption granted under (a) of this section expires.

6 * **Sec. 5.** Sections 2 and 3 of this Act take effect on the effective date of regulations
7 adopted by the Food and Drug Administration that establish procedures for ensuring safe
8 processing of fish and fishery products in accordance with hazard analysis critical control
9 point principles. The commissioner of environmental conservation shall notify the revisor of
10 statutes of the date on which the regulations described in this section take effect.