

**New Jersey Department of Health and Senior Services
Food and Drug Safety Program**

**Minimum Food Safety Requirements for Shellstock Sales at
New Jersey Farmers Markets**

This guidance document specifies the requirements for the sale of shellstock (as defined below), at Farmer’s Markets.

DEFINITIONS:

- “Molluscan shellfish” means any edible species of fresh or frozen oysters, clams, mussels, and scallops or edible portions thereof, except when the scallop product consists only of the shucked abductor muscle.
- “Shellstock” means raw in-shell molluscan shellfish.

VENDOR REQUIREMENTS:

- Licensed wholesale dealers of shellstock that have been certified by the NJDHSS; or
- Licensed retail seafood distributors of shellstock that have been inspected by the local health department.
 - NOTE: Shellstock harvesters are prohibited from selling shellstock at the Farmers Market

SOURCE:

- Molluscan shellfish shall be obtained from certified dealers meeting the requirements of the “FDA National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish.”
- Molluscan shellfish must also comply with the requirements of “Chapter 24: Sanitation in Retail Food Establishments and Food and Beverage Vending Machines” N.J.A.C. 8:24-2(m) thru (r) as outlined below:

SHELLSTOCK TAGS:

Shellstock shall be obtained in containers with identification tags from the Certified Dealer as specified in N.J.A.C. 8:13-2.26.

- Shellstock tags shall include the following information:
 - The dealer's name, address & certification #;
 - The original shipper's certification # AND the abbreviation of the name of the state (i.e. NJ111SS);
 - The date of harvesting;
 - The approved harvest location;
 - The type and quantity of shellstock; and
 - The following statement in bold, capitalized type: "**THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS.**"

	HARVESTER IDENTIFICATION NO.:
	HARVEST DATE:
	HARVEST LOCATION:
	TYPE OF SHELLFISH:
	QUANTITY OF SHELLFISH:
	THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS.
RETAILERS, INFORM YOUR CUSTOMERS Thoroughly cooking foods of animal origin such as beef, eggs, fish, lamb, poultry, or shellfish reduces the risk of foodborne illness. Individuals with compromised immune systems, pregnant women, young children, and the elderly are more vulnerable to foodborne illness. Consult your physician or public health official for further information.	

TEMPERATURE CONTROLS:

All shellstock shall be maintained at or below 45°F during storage, transport, display and service.

- The use of mechanical refrigeration (refrigerated truck or van; or refrigerated display case running on back-up generator) is highly recommended. Note: Even mechanical refrigeration may not maintain shellstock at or below 45°F in extremely hot summer weather. In these cases, the use of a mechanical freezer may be necessary to maintain shellstock at or below 45°F.
- NOTE: Storing shellstock in coolers with ice or ice packs may not effectively maintain product at or below 45°F, particularly during hot weather.
- Avoid exposing shellstock to direct sunlight by providing a source of shade during sale.

**ADDITIONAL REQUIREMENTS:**

- Shellstock shall not be stored wet (Note: shellstock submerged in water will die).
- Shellstock shall be reasonably free of mud, dead shellfish, and no shellfish with broken shells.
- Dead shellfish or shellstock with badly broken shells shall be discarded, not sold.
- Shellstock shall not be removed from the container in which they are received other than immediately before sale.

PACKAGING FOR CUSTOMERS:

To ensure that shellstock are maintained at safe temperatures after purchase, it is recommended that the Vendor:

- Pack the shellstock in a plastic bag and place on ice by double bagging; or by placing the bagged shellstock in an insulated container with ice;
- Provide a sticker ON THE BAG OR CONTAINER that advises customers to: “KEEP COLD ON ICE; OR PLACE IN REFRIGERATION IMMEDIATELY”; and
- Verbally advise the customer to place their shellstock into the refrigerator as soon as possible.

NOTE: The shucking of shellstock for on-site consumption at a Farmers Market would require the provision of additional food safety practices and equipment as specified under the Chapter 24 Retail Food rules. Consult your local health department for information prior to engaging in this practice.

For more information: Please contact the Department’s Food and Drug Safety Program at 609-826-4935 or

Go to: NJ Food and Drug Safety Program

Other Links:

For a list of wholesale certified dealers Go to: Interstate Shellfish Shippers List (Updated monthly)

Go to: US FDA-Seafood