

**Oregon Department of Agriculture and Oregon Department of Fish and Wildlife
Dungeness crab and biotoxin Rules Advisory Committee (RAC)**

2017 RAC Recommendation Summary

1. RAC recommends proceeding with rulemaking process for ODA crab fishery biotoxin management draft rules - as presented to the RAC on 8/18/17 (with a minor few edits and modifications).
 - Responsible parties:** ODA
 - Rationale:** These rules provide the process and conditions for use of evisceration when there is biotoxin above the threshold in crab viscera. This provides certainty to the industry for business planning purposes.
 - Timeline:** Permanent rules in place prior to the opening of the 2017-18 crab season.

2. RAC recommends enhancing communications with industry about biotoxin testing to include posting of crab biotoxin testing schedules on the ODA website and a robo-call/text/email system to industry members when new crab DA results have been posted.
 - Responsible parties:** ODA
 - Rationale:** Improved communication of testing schedules and results is needed to help industry to prepare for and respond to future biotoxin events.
 - Timeline:** Prior to the opening of the 2017-18 crab season.

3. RAC recommends tracking crab throughout the season from 12 crab harvest areas for biotoxin management, presented as option 4 at the August, 15th RAC meeting (with a few minor revisions for micro-siting throughout the public comment period).
 - Responsible parties:** ODFW
 - Rationale:** Clear management lines to define harvest area(s) of all crab landed throughout the season are needed in order to improve traceability and recall effectiveness. Tracking area of harvest area throughout the market chain is a condition for allowing the sale of eviscerated crab harvested from a BMZ per the ODA draft rule recommended by the RAC.
 - Timeframe:** Options finalized prior to the Aug 15th RAC meeting; public vetting at September 26 hearing and at other opportunities this fall.

4. RAC recommends expanding ODFW record keeping requirements for Dungeness crab to include:
 - a. All wholesale and retail fish dealers keep records of who they sell crab to prior to the ultimate consumer, including sales to restaurants (i.e. 1-forward records requirement). Required information would include to whom the crab are sold, date of sale, date of landing, amount of pounds sold, and area of harvest; and
 - b. Add date of landing and harvest area to current rules requiring all receivers of crab to keep records of who they received crab from.
 - Responsible parties:** ODFW

Rationale: This information is needed by ODA to help prevent sales of adulterated crab harvested from a BMZ after elevated levels of a biotoxin are detected (except as allowed under the draft ODA rule) and to determine how much adulterated product reached consumers and how much was stopped.

Timeframe: Temporary rule in place prior to the opening of the 2017-18 crab season. Permanent rule in place prior to temporary rule expiring.

5. RAC recommends regulations for gear removal in a biotoxin closure event include:
 - a. Defining a reasonable timeframe (7-14 days) for required gear removal and utilizing a declaration process to ease with implementation;
 - b. Allowing one time retrieval/barging waivers for assisting vessels with gear removal; and
 - c. Allowing transiting through the BMZ with a declaration process.

Responsible parties: ODFW

Rationale: Requirements for gear removal need to be very clear, restrictive and enforceable due to the public health risk involved and the damage that could be done to the industry if illnesses were incurred.

Timeframe: Temporary rule if/when closure events occur.

6. RAC recommends regulations for disposing of crab caught from a designated BMZ in a closure event include:
 - a. Requiring all crabs still within pots to be dumped at the rail; and,
 - b. Allowing any unsold crab at the docks or within holds the option to be returned alive to center of the BMZ or destroyed.

Responsible parties: ODFW

Rationale: Try to minimize crab wastage while protecting public health.

Timeframe: Temporary rule if/when closure events occur.

7. RAC recommends that agencies should exercise caution when there are signs that Domoic Acid may exceed thresholds in meat by implementing restrictions prior to reaching thresholds.

Responsible parties: ODFW and ODA

Rationale: This reduces the chance of any crab with Domoic Acid levels exceeding meat threshold from entering the market, which would be extremely damaging to consumer confidence and markets.

Timeframe: Temporary rule if/when there are signs that Domoic Acid may exceed thresholds in meat.

8. RAC recommends that ODFW/industry track harvest areas on fish tickets.

Responsible parties: ODFW

Rationale: Harvest area(s) on fish tickets is needed to efficiently identify crab first receivers that have bought crab from BMZ(s). It is also reduces need for crab first receivers to keep redundant records from vessel operators that are verified (signature required).

Timeframe: TBD; 1 or more years to implement due to extensive database modifications and possibly require ODFW rule modifications.

9. RAC recommends requiring electronic fish tickets for all crab landings.

Responsible parties: ODFW and Industry

Rationale: Requiring electronic submission of crab fish tickets that include area of harvest would facilitate real-time access to crab landing information which would improve traceability and recall effectiveness checks by ODA in future biotoxin events.

Timeframe: TBD; not before the 2017-18 crab season opening.

10. RAC recommends the development of electronic logbooks for the crab fishery.

Responsible parties: ODFW and Industry

Rationale: Electronic logbooks are preferred in order to provide tracking efficiency to both industry and the agencies regarding harvest area for all crab landings. Electronic logs would also provide a near real-time tool to verify crab harvest areas and assist with enforcement of allowing transiting through any BMZs.

Timeframe: TBD; long-term

11. RAC recommends that ODA gain authority to access all crab buyer and seller required records (described in #2).

Responsible parties: ODFW and ODA

Rationale: ODA needs to have authority to inspect and obtain all crab buyers required records in order to trace crab harvest from both ODA licensed and non-licensed crab buyers.

Timeframe: Will likely be pursued during 2018 short legislative session.