



## **State Requirements Relating to Shellfish Health and Disease Prevention**

Disease such as MSX, Herpes, and Dermo do not affect human health, but they do threaten the health of farmed and wild shellfish. A widespread outbreak of any shellfish disease would likely have severe consequences to the west coast shellfish industry. All shellfish growers, harvesters, hatchery operators, and dealers have a role in preventing shellfish disease. The purpose of this document is to familiarize shellfish growers with state laws and regulations that are essential to reducing the threat of a shellfish disease outbreak. Since shellfish health and the prevention of disease is every growers' responsibility, this topic will be part of several future discussions.

Three basic tenets in supporting good shellfish health and disease prevention are:

- A permit is always required when importing shellfish into a state or country.
- Research what is required for moving shellfish AND the associated risks of doing so BEFORE moving shellfish.
- Ask for help from PCSGA if the regulations are confusing or unclear before moving shellfish.

## 1. WASHINGTON – WA Department of Fish and Wildlife

- It is unlawful to import from out of State or transfer shellfish within Washington State without first obtaining a Washington State Shellfish Import or Shellfish Transfer Permit. Prior to being issued, permit applications require a 20-working-day Tribal review.

### Shellfish Import Permits

- **Shellfish Import Permits** are required for the import of live shellfish for aquaculture, research or display purposes and other uses. Shellfish which are market ready and do not come in contact with the state waters do not require a permit. Consistent with state law, permits will include conditions to ensure that disease, pests and invasive species do not enter the State's waters. Actions found to be in violation of these conditions, will result in modification or revoking of the permit.

### Shellfish Transfer Permits

- **Transfer Permits** are required for the transfer of shellfish, shellfish aquaculture products (including oyster seed, cultch and shell), aquaculture equipment (including aquaculture vehicles and vessels) and any marine organism adversely affecting shellfish. Consistent with state law, Transfer Permits include conditions that eliminate or reduce the risk of transferring marine pests, such as oyster drills, from one body of water to another, and require documentation of transfer vehicles, cleaning and disposal methods and other preventative measures.

[For more information, including Applications for the Shellfish Import Permit and Shellfish Transfer Permits, Oyster Drill Area Map, and other information to complete applications, use this link.](#)

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## 1. ALASKA – AK Department of Fish and Game

### In-State Hatchery Certification and Seed Distribution

- To distribute shellfish seed to a permitted aquatic farm, nursery, hatchery within Alaska or for export, an in-state facility is required to obtain a **valid seed source approval** issued by ADF&G. An acceptable disease history specific for the facility site and the shellfish stock is required prior to allowing stock to be transported. If there's no disease history, there are additional requirements. Once issued, these approvals are valid for one to three years, depending on the disease history of the permitted facility site.

### For Export of Live Shellfish Outside Alaska

- An approved **Shellfish Transport Permit** and authorization from receiving state authorities is required prior to gaining approval.

### Out-of-State Hatcheries and Seed Distribution Facilities

- To import shellfish seed to a permitted aquatic farm, nursery, hatchery into the state, an out-of-state facility is required to obtain a valid **Shellfish Importation Certification** issued by ADF&G. More extensive pathology examinations are required for out-of-state facilities in order to minimize the risk of exotic pathogens of concern entering into Alaska. The certifications are facility site and stock specific. Certifications are generally valid for one year from the date of sample collection for pathology examinations.
- Live oysters can only be imported for aquaculture purposes into Alaska if the broodstock is derived from oysters commercially cultured on the Pacific coast of North America through three or more generations and disease history or inspection indicates no incidence of disease that is not indigenous to the state or that are not considered a risk to indigenous stocks, and oyster health and marketability (5 ACC 41.070).

[More details, links to sample submission forms, policies, guidelines, and seed providers.](#)

### Alaska Transport Permits

- **Stock Transport Permit** is required to import, export and transfer seed stock to, from or between an aquatic farm, nursery and hatchery in the State of Alaska.
- A **Shellfish Acquisition and Transport Permit Application** is necessary to acquire wild stock, for the purpose of providing broodstock for a hatchery.
- Transport of stock between aquatic farm, hatchery, or stock acquisition sites will be limited to waters within and approved **Larval Drift Zone**.

[For more information, including links to Transport Permit Applications, instructions to complete the application and the Larval Drift Zone Map.](#)

[General Aquatic Farm Statutes and Regulations, including Policies and Guidelines.](#)

### Local Contact:

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## 2. CALIFORNIA – CA Fish and Game

- Under the General Aquaculture Provisions for the State of California, The Commission may regulate the transportation, purchase, possession, placement, and sale of specific aquaculture products (including but not limited to bivalves (except little neck clams)).

### Broodstock

- Aquatic plants or animals may be legally obtained for use as broodstock from all of the following sources: (a) A holder of a commercial fishing license; (b) A registered aquaculturist; (c) The department; (d) Imported sources authorized by Chapter 7 (commencing with Section 15600).

### Disease Control

- The State has an Aquaculture Disease Committee which represents industry, state agencies, and academia exist to recommend regulations to the Commission designed to safeguard wild and cultured organisms.

### Importation of Aquatic Plants and Animals

- No live aquatic plant or animal may be imported into the state by a registered aquaculturist without the prior written approval of the department, pursuant to commission adopted regulations.

[Division 12 Aquaculture in CA Fish and Game Code provides more information about how the above items are carried out and the limitations placed on such actions.](#)

### Shellfish Importation

- According to State Law, No person shall import any prohibited species of live aquatic plant or animal, without authorization by the Fish and Wildlife Commission.
- Shellfish intended to go directly into the seafood market and which will NOT be placed into the waters of the state, nor placed in waters which are discharged to waters of the state, may do so without a permit.
- **Standard Importation Permit** (\$25 plus inspection fees) is required for any lot or load of aquatic plants and animals. Oyster, oyster larvae and oyster seed may receive Long-Term Permits to import by the Department for periods of up to one year. Both the Long-Term and Standard Permits contain various terms and conditions.

[Additional information about importation of oysters, larvae and seed and specific regulations can be found here.](#)

### Local Contact:

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### 3. OREGON – OR Department of Fish and Wildlife

- It is unlawful for any person, municipal corporation, political subdivision or governmental agency to deposit or allow to escape into, or cause or permit to be deposited or escape into any public waters of this state, any substance of any kind which will or shall in any manner injuriously affect the life, growth or flavor of shellfish in or under such waters. (Oregon Revised Statute 509.505)

#### Shellfish Importation

- Consistent with the Oregon Administrative Rule (OAR 635-005-0900) an **Oyster Import Permit**, issued by the director, needs to be obtained prior to import oysters into the state for the purpose of planting or to plant the same in waters of the state. The application must include the quantity to be imported, the name of the exporter, certification that the oysters were inspected and declaration that they are free from disease, infestation pests, and other substance which might endanger shellfish in the waters of the state. Oysters moving from one estuary to another within the state also need an Oyster Transport Permit. Additionally health certificates are required for interstate transport but not normally necessary for intrastate.
- Currently, the application and permit is free. However it hasn't always been free, and the State may consider re-initiating a fee in the future.

#### [Additional information](#)

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#### 4. HAWAII –Plant Quarantine Branch, Department of Agriculture

##### Importation on Non-domestic Aquatic Animals

- The State of Hawaii issues **Permits to Import Restricted Commodities** into Hawaii in order to control the importation and movement between islands of plants, insects, microorganism and non-domestic animals that are or could be detrimental to the agricultural and aquaculture industries, natural resources and environs of Hawaii.
- Anyone desiring to import aquatic animals, plants and microorganism cultures into Hawaii must obtain a **Permit to Import Restricted Commodities** from the Plant Quarantine Branch (PQB) at the Department of Agriculture (DOA). The PQB manages all imports even though the name suggests only plants.
- To manage species importation, the DOA maintains **three lists of species** that are established through rule-making – **prohibited, restricted and conditionally approved**. If a particular species is listed and has been allowed previously, for a similar purposes, under established permit conditions, than the process is a straight-forward administrative approval. For importations for an unlisted (new to Hawaii) species, there is a PQB process that needs to be followed to get that species on one of the three lists.

[Additional information about Hawaii’s program including permit requirements and regulations.](#)

##### **Local Contact:**

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