

**WAC 246-215-04244 Functionality—Molluscan shellfish tanks (FDA Food Code 4-204.110).** (1) Except as specified under subsection (2) of this section, MOLLUSCAN SHELLFISH life support system display tanks may not be used to store or display shellfish that are offered for human consumption and must be conspicuously marked so that it is obvious to the CONSUMER that shellfish are for display only.

(2) MOLLUSCAN SHELLFISH life-support system display tanks that are used to store or display shellfish that are offered for human consumption must be operated and maintained in accordance with a VARIANCE granted by the REGULATORY AUTHORITY as specified under WAC 246-215-08110 and a HACCP PLAN that:

(a) Is submitted by the PERMIT HOLDER and APPROVED as specified under WAC 246-215-08115; and

(b) Ensures that:

(i) Water used with FISH other than MOLLUSCAN SHELLFISH does not flow into the molluscan tank;

(ii) The safety and quality of the shellfish as they were received are not compromised by the use of the tank; and

(iii) The identity of the source of the SHELLSTOCK is retained as specified under WAC 246-215-03290.

[Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 21-01-122, § 246-215-04244, filed 12/15/20, effective 3/1/22; WSR 13-03-109, § 246-215-04244, filed 1/17/13, effective 5/1/13.]