

2021 -- S 0973

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LC003058  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO FOOD AND DRUGS - SHELLFISH PACKING HOUSES

Introduced By: Senator V. Susan Sosnowski

Date Introduced: June 22, 2021

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-14-12 of the General Laws in Chapter 21-14 entitled "Shellfish  
2 Packing Houses" is hereby amended to read as follows:

3 **21-14-12. Inspection of business premises – Dockside Program Established.**

4 (a) The director shall make regular inspections of the business premises of licensees and  
5 no person shall interfere with or obstruct the entrance of the director to any packing house or  
6 structural appurtenance to it, vessel, or vehicle for the purpose of making inspection as to sanitary  
7 conditions during reasonable business hours, and no person shall obstruct the conduct of this  
8 inspection; provided, that inspections as to sanitary conditions shall be made only by the director  
9 or employees of the department ~~of health~~. These employees of the department ~~of health~~ shall not  
10 be construed to include agents whom the director may appoint in other departments for the purpose  
11 of enforcing other provisions of this chapter; and provided, that nothing in this section shall be  
12 construed as having granted to the director or any duly authorized official of the department the  
13 right of search and seizure without a warrant.

14 (b) The director shall be authorized to establish a dockside program, including the  
15 promulgation of any rules and regulations deemed necessary or advisable in connection therewith,  
16 pursuant to the relevant provisions of the National Shellfish Sanitation Program (NSSP) Model  
17 Ordinance. Promulgating such rules and regulations pursuant to the NSSP Model Ordinance shall  
18 assure that the marine shellfish processors, licensed by the department to land and process surf  
19 clams and/or other marine shellfish species acquired in federal waters, are doing so in sanitary

1 fashion that comports with national standards. Such rules and regulations shall also be consistent  
2 with the landing permit requirements of the department of environmental management in section  
3 20-2.1-7. The dockside program shall not apply to aquaculture processors.

4 (c) The licensing fees from the dockside program shall be deposited into the general fund.  
5 However, the amount of the revenues collected for the dockside program shall be appropriated to  
6 the department of health for its administration of this program. The director shall have the authority  
7 to establish the licensing fees and limit the number of licenses issued, at his or her sole discretion.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO FOOD AND DRUGS - SHELLFISH PACKING HOUSES

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- 1           This act would establish a dockside program to promulgate rules and regulations necessary
- 2   to ensure that surf clams and/or other marine shellfish acquired in federal waters are done so in a
- 3   sanitary fashion and in accordance with national standards.
- 4           This act would take effect upon passage.

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