

MEMORANDUM

TO: Sanitarians, Senior Sanitarians, Area Supervisors

THRU: Eric H. Bartsch, P.E., Director
Division of Water Programs

FROM: Cloyde W. Wiley, Director
Bureau of Shellfish Sanitation

SUBJECT: Uncertified Product in the Marketplace

Bureau of Shellfish Sanitation personnel are not to inspect grocery stores, fish markets, etc. for uncertified products. However, when in a market on personal business and happen to notice uncertified shellfish or uncertified crabmeat, one cannot ignore the public health aspects. When such uncertified product is observed, the person shall call the local Virginia Department of Agriculture and Consumer Services (VDACS) agent. If VDACS cannot respond, call the Director or Assistant Director of BSS. The Director will then call the Food Inspection Bureau Chief at VDACS in Richmond to see if he can arrange to get an agent to the market.

If a VDACS agent cannot handle the situation, then it is up to BSS personnel to protect public health. The store owner, manager, or person in charge should be encouraged to voluntarily destroy the product. BSS personnel, however, are not to actually participate in the destruction/denaturing of the product in any way. If the person in charge will not voluntarily destroy the product, but rather indicates he wants to take it home for personal use, BSS personnel are to inform the person that this is not satisfactory. If the person in charge will not voluntarily destroy the product in front of BSS personnel, then inform the person that a criminal warrant will be obtained charging him with holding or offering for sale an uncertified product. BSS personnel should then obtain a witness that will attest to the amount of product present, and then obtain a warrant from the proper authorities.

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