

**4626.0215 MOLLUSCAN SHELLFISH AND SHELLSTOCK; ORIGINAL CONTAINER.
3-203.11**

A. Except as specified in items B to D, molluscan shellfish must not be removed from the container in which they were received other than immediately before sale or preparation for service.

B. For display purposes, shellstock may be removed from the container in which they were received, displayed on drained ice, or held in a display container, and a quantity specified by a consumer may be removed from the display or display container and provided to the consumer if:

(1) the source of the shellstock on display is identified as specified in part 4626.0202 and recorded as specified in part 4626.0220; and

(2) the shellstock are protected from contamination.

C. Shucked shellfish may be removed from the container in which they were received and held in a display container from which individual servings are dispensed upon a consumer's request if:

(1) the labeling information for the shellfish on display specified in part 4626.0200 is retained and correlated to the date when, or dates during which, the shellfish are sold or served; and

(2) the shellfish are protected from contamination.

D. Shucked shellfish may be removed from the container in which they were received and repacked in consumer self-service containers where allowed by law if:

(1) the labeling information for the shellfish is on each consumer self-service container as specified in parts 4626.0200 and 4626.0435, items A and B, subitems (1) to (5);

(2) the labeling information specified in part 4626.0200 is retained and correlated with the date when, or dates during which, the shellfish are sold or served;

(3) the labeling information and dates specified in subitem (2) are maintained for 90 days; and

(4) the shellfish are protected from contamination.

Statutory Authority: *MS s 31.101; 31.11; 144.05; 144.07; 144.08; 144.12; 157.011*

History: *23 SR 519; 43 SR 295*

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