



# Oregon

Kate Brown, Governor

## Department of Fish and Wildlife

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Oregon Ocean Commercial Dungeness Crab Permit Holders, Processors, Buyers, and Interested Persons,



The Oregon Fish and Wildlife Commission (Commission) adopted permanent rules (OAR 635-006-0201, <https://www.dfw.state.or.us/OARs/06.pdf>) for expanded record keeping requirements for buying and selling Dungeness crab in April. The permanent rules built upon the expanded requirements that have been in place via temporary rule since December 1, 2017. **The permanent rules will become effective on 5/29/18.**

The rules require that each seafood business in the crab market chain maintain records of whom they have bought crab from (1-back records) and whom they have sold crab to (1-forward records). This information is essential to support and strengthen crab traceability through the market chain and the new requirements were recommended by the biotoxin Rules Advisory Committee (RAC) that was convened by the Oregon Department of Agriculture (ODA) this past summer and fall. See [http://www.dfw.state.or.us/MRP/shellfish/commercial/crab/domoic\\_acid.asp](http://www.dfw.state.or.us/MRP/shellfish/commercial/crab/domoic_acid.asp) for more detailed information on that process and additional recommendations, including complementary new ODA rules that clarify biotoxin testing procedures and potential management responses.

The permanent records requirements include the following:

1. All retail fish dealers, wholesale fish dealers, buyers, food fish canners and shellfish canners (excluding restaurants) who receive or buy crab must add the date of landing and harvest area of the crab purchased to their currently required records of who they **buy or receive crab from**. For crab product on hand, these records must be available for inspection at the site where the crab product is held.
2. All retail fish dealers, wholesale fish dealers, buyers, limited fish sellers, food fish canners and shellfish canners who receive or buy crab must keep records of **who they sell crab to** (including restaurants), prior to the ultimate consumer. Required information includes name and phone number of person or business to whom the crab are sold, date of sale, date of landing, amount of pounds sold, and area of harvest.
3. Records must be prepared and available for inspection at the time that Dungeness crab are transferred to the premises of the buyer, written in the English language, and retained for a minimum of three years at a location in Oregon available for inspection by State officials.

Since the new record keeping requirements were initially implemented through temporary rule, the industry and agencies were able to “test drive” the traceability framework and identify potential unintended problems.

**Based on that experience and feedback from industry, the Commission adopted a few modifications to the temporary rule recommended by the Department that provide clarity and reduce impacts to industry while ensuring that the rules meet the intent of area-specific traceability throughout the market chain.** These include:

- Requiring **harvest area-specificity provisions apply to uneviscerated crab only**, which is the product form that presents the greatest public health risk. The state-wide Harvest Area designation for Oregon will not comply with Harvest Area tracking requirements for **uneviscerated crab**.
- Adding Washington and California Harvest Areas to the Harvest Area map to clarify that the requirement applies to crab landed or imported from out-of-state.
- Clarifying requirements for combining **uneviscerated crab** from multiple Harvest Areas. Listing multiple Harvest Areas will be allowed only if crab from multiple areas were combined. For the first point of sale (first receiver), it will be prohibited to list any Harvest Areas that crab were not harvested from (i.e. the Harvest Areas could be reported as a range only if the uneviscerated crab came from ALL Harvest Areas within that range). The initial list of areas could then be carried forward without modification to records of subsequent wholesalers or retailers purchasing that crab.

The permanent records requirements for all crab buyers and sellers and crab products are summarized in the table below.

I am a....	I am buying/receiving	I am selling
Retail Fish Dealer Wholesale Fish Dealer Buyer Food Fish Canner Shellfish Canner	<ul style="list-style-type: none"> <li>• Date(s) of landing</li> <li>• <b>Harvest area(s) *</b></li> <li>• Name/Business received from</li> <li>• Date of sale</li> <li>• Amount sold (in pounds)</li> <li>• Price paid per pound</li> </ul>	<ul style="list-style-type: none"> <li>• Name/Business sold to</li> <li>• Date(s) of sale</li> <li>• Amount sold (in pounds)</li> <li>• Date(s) of landing</li> <li>• <b>Harvest area(s) *</b></li> </ul> <p><b><u>Includes sales to restaurants but does not apply to sales to individuals.</u></b></p>
Restaurant / Public Consumer	No additional requirements	No additional requirements

\* The state-wide Harvest Area designation for Oregon will not comply with Harvest Area tracking requirements for **uneviscerated crab** but will comply for eviscerated crab products.

Please contact us if you have any questions.

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