

1 15A NCAC 03L .0210 is proposed for adoption as follows:

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3 **15A NCAC 03L .0210 REPACKING OF FOREIGN CRAB MEAT PROHIBITED**

4 It shall be unlawful to repack foreign crab meat in North Carolina into another container. This rule shall apply to all  
5 facilities and persons permitted in accordance with Rule 15A NCAC 18A .0135. This rule does not apply to crab meat  
6 that has been transformed into another product, such as crab cakes or other value-added products.

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8 *History Note: Authority G.S. 113-134; 113-182; 113-221.2; 143B-289.52;*

9 *Eff. (Pending legislative review pursuant to S.L. 2019-198).*

1 15A NCAC 18A .0136 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 18A .0136 APPLICABILITY OF RULES**

4 The Rules in this Section shall apply to the operation of all facilities and persons permitted in Rule .0135 of this  
5 Section and all other businesses and persons that buy, sell, ~~transport~~ transport, or ship cooked crustacea or crustacea  
6 meat ~~which that~~ which has not been transformed into another product. ~~Foreign crustacea meat processed in North Carolina~~  
7 ~~shall comply with all applicable Federal requirements.~~

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9 *History Note:* Authority ~~G.S. 130A-230;~~ 113-134; 113-182; 113-221.2; 143B-289.52;

10 *Eff. October 1, 1992;*

11 *Amended Eff. April 1, 1997;*

12 *Readopted Eff. (Pending legislative review of 15A NCAC 03L .0210).*

1 15A NCAC 18A .0173 is proposed for reoption with substantive changes as follows:

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3 **15A NCAC 18A .0173 REPACKING**

4 (a) Crustacea meat for repacking ~~which that~~ is processed in North Carolina shall comply with Rules .0134 through  
5 .0187 of this Section. Crustacea meat for repacking ~~which that~~ is processed outside of North Carolina shall comply  
6 with Rule .0182 of this Section. ~~Quarterly bacteriological reports shall be provided to the Division by the repacker of~~  
7 ~~all foreign crustacea meat for repacking.~~

8 (b) The repacker shall provide the Division of Marine Fisheries a current written list of all sources of crustacea meat  
9 used for repacking.

10 (c) Repacking of crustacea meat:

11 (1) Crustacea meat shall not exceed ~~45° F (7.1° C)~~ 40° F (4.4° C) during the repacking process.

12 (2) Repacking shall be conducted separately by time or space from the routine crustacea meat picking  
13 and packing process.

14 (3) The food contact surfaces and utensils utilized in the repacking process shall be cleaned and  
15 sanitized prior to repacking and thereafter on ~~30 minute~~ 30-minute intervals during repacking.

16 (4) Repacked crustacea meat shall be maintained at or below 40° F (4.4° C).

17 (5) Blending or combining of any of the following shall be prohibited:

18 (A) ~~Fresh~~ fresh crustacea meat.

19 (B) ~~Frozen~~ frozen crustacea meat.

20 (C) ~~Pasteurized~~ pasteurized crustacea meat.

21 (D) ~~Crustacea~~ crustacea meat packed in another facility.

22 (6) Crustacea meat shall not be repacked more than one time.

23 (7) All empty containers shall be rendered unusable.

24 (d) Labeling of repacked crustacea meat:

25 (1) Each container shall be legibly embossed, ~~impressed~~ impressed, or lithographed with the repacker's  
26 or the distributor's name and address.

27 (2) Each container shall be legibly embossed, ~~impressed~~ impressed, or lithographed with the repacker's  
28 certification number followed by the letters "RP."

29 (3) Each container shall be permanently and legibly identified with a code indicating the repack date.

30 (4) Each container shall be sealed so that tampering can be detected.

31 (5) Each container of foreign crustacea meat which has been repacked outside of North Carolina shall  
32 be labeled in accordance with Federal labeling requirements.

33 (e) Records shall be kept for all purchases of crustacea meat for repacking and sales of repacked meat for one year.  
34 The records shall be available for inspection by the Division.

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36 *History Note:* Authority ~~G.S. 130A-230; 113-134; 113-182; 113-221.2; 143B-289.52;~~

37 *Eff. October 1, 1992;*

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*Amended Eff. August 1, 2002; April 1, 1997;*

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*Readopted Eff. (Pending legislative review of 15A NCAC 03L .0210).*