7. Explain Reason for Proposed Rule(s):

In accordance with G.S. 150B-21.3A, these general rules and gear rules are proposed for readoption with no changes.

In accordance with G.S. 150B-21.3A, these rules are proposed for readoption and repeal through readoption. The management and harvest restrictions of North Carolina’s interjurisdictional fishery species are implemented through a state fishery management plan and Marine Fisheries Commission rules that coordinate with relevant interstate and federal regulatory bodies. Over time, regulation of these species in North Carolina has shifted towards ongoing proclamations and rule suspensions by the Fisheries Director in order to keep pace with shifting interstate and federal regulations. The proposed amendments and repeals through readoption seek to formalize proclamation authority of several interjurisdictional species in rule and remove existing harvest requirements that are likely to become out of date. The proposed changes would conform with existing management practices by the Division of Marine Fisheries and would increase the division’s efficiency in managing these species.

In accordance with G.S. 150B-21.3A and following recent developments in North Carolina where foreign crab meat was fraudulently marketed and sold as domestic blue crab, the Marine Fisheries Commission developed rules to prohibit the repacking of foreign crab meat in the state to prevent future fraud and improve consumer confidence moving forward. One rule is proposed for adoption (15A NCAC 03L .0210) that prohibits the repacking of foreign crab meat in North Carolina into another container. This does not affect value-added crab products, such as crab cakes. Two existing rules for readoption (15A NCAC 18A .0136, .0173) are proposed with changes to conform to the new repacking rule.
In accordance with G.S. 150B-21.3A, these rules that relate to standards for commercial crustacea meat sanitation and processing procedures are proposed for readoption. All proposed changes are either intended to provide heightened clarity to rule language, or to conform rule language around crustacea meat storage, processing, and facility maintenance to that of ongoing practice by Division of Marine Fisheries staff and licensed seafood processors and dealers. The proposed readoptions also contain amendments that are of an administrative nature to update the rules. In all, the rules are proposed for readoption with no changes to division procedures.