

Regular Session, 2009

HOUSE BILL NO. 390

BY REPRESENTATIVE HENDERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC HEALTH: Authorizes certain exemptions from certain National Shellfish Sanitation Program management programs

1 AN ACT

2 To enact R.S. 40:5.3.1, relative to molluscan shellfish sanitation requirements; to authorize
3 the Department of Health and Hospitals to grant exemptions from certain of the
4 molluscan shellfish sanitation requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:5.3.1 is hereby enacted to read as follows:

7 §5.3.1. Exemptions

8 The Department of Health and Hospitals, in consultation with the Department
9 of Wildlife and Fisheries, may annually grant an exemption from the National
10 Shellfish Sanitation Program's *Vibrio parahaemolyticus* and *Vibrio vulnificus*
11 management plans to licensed oyster harvesters and certified oyster dealers if the
12 licensed oyster harvester or the certified oyster dealer has not been epidemiologically
13 linked to a *Vibrio parahaemolyticus* or *Vibrio vulnificus* oyster related illness.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Henderson

HB No. 390

Abstract: Authorizes an exemption for licensed oyster harvesters and certified oyster dealers from the National Shellfish Sanitation Program's management plans.

Present law charges DHH with implementation of the shellfish sanitation program for the state of La. Provides the details of that plan.

Proposed law authorizes DHH, in consultation with the Dept. of Wildlife and Fisheries, to annually grant an exemption from the National Shellfish Sanitation Program's *Vibrio parahaemolyticus* and *Vibrio vulnificus* management plans to licensed oyster harvesters and certified oyster dealers if the harvester or the dealer has not been epidemiologically linked to a *V.p.* or *V.v.* oyster-related illness.

(Adds R.S. 40:5.3.1)