Application Procedures for the Relaying of Shellstock from Polluted Waters for the Purpose of Natural Cleansing

Oysters, clams, or mussels transplanted from a polluted to a clean environment will cleanse themselves of the polluting bacteria or viruses. This cleansing ability is a phenomenon of the shellfish feeding process. The time required for this cleansing is influenced by many factors, including the original level of pollution, water temperature, salinity, and presence of chemicals inhibitory to physiological activity of shellfish.

To protect public health and to make good use of a valuable natural resource, the following application procedures are established for the relaying of shellstock.

Responsibilities of the Applicant Requesting Permission to Relay

1. The applicant shall request in writing to the Maryland Department of the Environment (MDE) permission to relay shellfish from polluted water to approved waters for the purpose of natural cleaning.
2. The letter of application shall specify:

    a. Name, address and phone number of the applicant.
    b. The approximate number of bushels to be relayed and the approximate beginning and ending date of the relaying operation.
    c. The type of gear to be used to relay shellstock.
    d. The name and address of the private leaseholder owning the leased grounds from which the shellstock is relayed.
    e. Department of Natural Resources (DNR) identification number for the private lease from which the shellstock will be relayed.
    f. Name, address and phone number of the owner of the leased ground to which the shellstock is relayed.
    g. DNR identification number for the private lease to which the shellstock will be relayed.

Once MDE receives the application requesting permission to relay, the agency will.

1. Review water quality in the area to which the shellstock is to be relayed to ascertain whether it is of acceptable quality.
2. Arrangements must be made with the DNR Natural Resources Police (NRP) to determine if sufficient officers are available to patrol the area.
3. MDE will notify the applicant in writing that he may begin relaying the polluted oysters.
4. The following conditions must be met on the private lease where the polluted oysters are placed:
    a. Prior to the beginning of the relay operation, the area to which the shellfish are to be moved must be conspicuously marked by yellow flags attached to fixed boys or stakes.
    b. The yellow flags will be furnished by and maintained by the individual requesting permission to relay the shellfish.
    c. The yellow flags will remain in place until written permission to remove them is received from MDE.
5. The entire relaying operation is to be carried out under the supervision of the Natural Resources Police.
6. The entire relaying operation will be carried out between March 31 and September 1, which corresponds to the seasonal closure of the state's public oyster grounds.
7. The 14-day period will begin when the last oyster is relayed.

8. At the end of the 14-day period, the shellstock will be sampled by MDE and tested by the Department of Health and Mental Hygiene.
9. If the bacteriological quality is acceptable, MDE will notify the owner in writing that he may harvest and market the shellstock.
10. Records must be kept. Upon the sale of any relayed shellstock records of the buyer, the amount bought and date of purchase shall be provided to MDE.
11. In the event that temperature, salinity or other water quality parameters are not conducive to natural cleansing, the relayed shellstock will be required to remain overboard until the water quality parameters are acceptable. The 14-day natural cleansing will begin when the water quality parameters are acceptable.

For more information about Maryland's shellfish safety call:
Science Services Administration
Environmental Health & Risk Assessment Program (410)537-3906

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