

Recommendations for oyster shell reuse

Law:

“N.C. G.S. 130-248(c3) states “Notwithstanding any provisions of this Part, a food establishment may reuse an oyster shell to serve shucked oysters that are cooked, regardless if the shucked oysters are reused in the same shells from which they originated, provided the establishment does all of the following: (1) Posts on the premises a conspicuous sign, clearly legible and easily readable by the public, advising that the establishment reuses oyster shells to serve cooked oysters. (2) Protects each reused oyster shell from contamination by, at a minimum, doing all the following on the same day the oyster is removed from the shell: a). Boils the shell for a minimum of ten minutes b). Thoroughly dries the shell c). Reuses the shell within 48 hours after the oyster is removed from the shell.”

Conspicuous sign:

1. Please use the provided sign and post it near the grade card or other conspicuous location at any establishment that reuses oyster shells. County logos or contact information can be added to the sign.

Handling the reused oyster shells:

1. A tracking log is attached that can be utilized to track oyster shell reuse.
 - a. Logs should be kept for 90 days.
 - b. Tags should be kept with oyster shells that have been washed.
 - c. Oyster shells that have been washed should not be commingled with other washed oyster shell batches. Oyster shells should be washed a batch at a time so that the tag can remain with the product.
 - d. Oyster shells can be dried by being placed in a flat food-grade container with draining holes in it. Paper towels and/or cloth should not be used to dry oyster shells or as a draining surface because this could lead to contamination of the shells. [Here](#) is an example of a container that could be utilized.
 - e. If the log is used to track dates, it should be readily available for inspection.
 - f. Oyster shells found undated or kept more than 48 hours after washing shall be discarded.
 - g. Oyster shells should be stored in a manner that prevents them from being contaminated by raw foods and prevents them from contaminating ready-to-eat food.

Enforcement:

- Violations related to this law are non-debitable and can only be recorded in the general comment section.
- If violations are observed on multiple occasions related to this law, permit action may be taken based on the general statute if it can be proven by records and/or direct observations that the law is not being followed.

