



Canadian Shellfish Sanitation Program - Manual of Operations

CHAPTER 3

CONTROL OF HARVESTING

The control of harvesting from growing areas is a vital part of the control procedures for a comprehensive shellfish sanitation program. There must be assurances that shellfish are only harvested from approved or conditionally approved areas, or from areas in the open status with the appropriate licences where required. Potentially hazardous shellfish must be prevented from reaching the consumer. It is the responsibility of the Conservation and Protection Directorate in each Fisheries and Oceans Canada (DFO) Region to provide sufficient personnel and equipment for surveillance activities that will act as a deterrent to illegal harvesting.

3.1 Patrol Policy Document

Specific patrol requirements that may be applied to technical and administrative situations vary among Regions. Consequently, a patrol policy document shall be developed by each Region and kept current. The policy document shall describe patrol organization and activities necessary to deter illegal harvesting, and will meet the following requirements:

- a) a patrol policy document shall contain the following provisions:
 - I) method of identifying shellfish harvest areas;
 - ii) description of area-specific patrol problems;
 - iii) listing of areas to be patrolled;
 - iv) frequency and nature of patrol;
 - v) type and frequency of reporting; and
 - vi) educational measures.
- b) The patrol policy document shall be reviewed annually, revised when necessary and communicated to other regional shellfish control agencies.



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- c) The patrol policy document shall be placed in a central file and made available on request for authorized audits including those that may be conducted by U.S. Food and Drug Administration officials in connection with the 1948 Canada-US Bilateral Agreement on Shellfish Sanitation.

3.2 Licensing of Harvesters

Specific regulations under the *Fisheries Act* may require licensing of harvesters.

Licences may be issued pursuant to the Management of Contaminated Fisheries Regulations to harvesters or processors for the taking of shellfish from restricted and conditionally restricted areas.

DFO shall maintain a record in a central file of all the licences issued. This file should contain a copy of notices published for the information of harvesters concerning changes in area classification or status and changes in applicable laws and regulations.

3.3 Identification of Restricted or Prohibited Areas (including areas in the closed status)

The measures necessary to accomplish boundary delineation and notification may vary among regions provided that following criteria are met:

- a) the boundaries of areas, as well as any areas in the closed status shall be marked by fixed objects or landmarks or otherwise described in a manner which permits easy recognition of the boundaries; and
- b) Information with respect to harvest activities permitted in shellfish areas shall be conveyed to harvesters through a number of methods, including publication or broadcast in local media, electronic fishery notices, or by the posting of notices in affected areas and at shellfish processing plants, if applicable.



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3.4 Prevention of illegal Harvesting

In planning, executing and reporting on patrols for illegal harvest prevention, regions shall ensure that:

- a) when there is evidence that shellfish are being illegally harvested, educational programs and other compliance promotion measures shall be developed to deter harvesting.
- b) shellfish growing areas shall be patrolled with due consideration given to surveillance conducted at night time, during weekends and holidays; and;
- d) complete records of patrol activities, including violations and court actions, shall be maintained in a central office of the Regional patrol agency.