Shellfish growing water classification charts are a graphic representation of the classification regulations and are provided for general information only. See N.J.A.C. 7:12-2 through 5 for the full text and area descriptions.

NOTE:
These charts are provided for the purpose of delineating shellfish growing water classifications, and are not intended to be used for navigational purposes.

SHELLFISH GROWING WATER CLASSIFICATION CODES

Approved Area	Conditionally Approved (January 1st - April 30th)	Conditionally Approved (November 1st - April 30th)	Restricted Area	Prohibited Area	Suspended Area
Waters where the harvest of shellfish is allowed.	Waters which are classified as Conditionally Approved, and are in the closed status from May 1 through December 31 and are in the open status from January 1 through April 30, pursuant to N.J.A.C. 7:12-4.1(b).	Waters which are classified as Conditionally Approved, and are in the closed status from May 1 through October 31 and are in the open status from November 1 through April 30, pursuant to N.J.A.C. 7:12-4.1(a).	Waters where the harvest of shellfish is not allowed except as authorized by an issued permit in accordance with N.J.A.C 7:12-9.	Waters where the harvest of shellfish is not allowed.	Waters where the harvest of shellfish is suspended pending the establishment by rule making of the appropriate classification.

HARVESTING REGULATIONS

Shellfish cannot be taken before sunrise or after sunset or on Sundays, except as provided in N.J.S.A. 50:2-11. Hard clams harvested must be at least 1 ½ inches in length. No one may take or catch more than 150 shellfish per day or sell or offer for sale shellfish, unless he or she is a holder of a Commercial Shellfish License. Pursuant to N.J.A.C. 7:12-8, any holder of a commercial shellfish license issued by the Department's Division of Fish and Wildlife shall complete the Department's shellfish harvester training.

Please note: N.J.A.C. 7:12-9 establishes permits for the harvest of shellfish from waters classified other than Approved, shellfish research, shellfish restoration and enhancement, toxins monitoring in shellfish, and shellfish aquaculture; please contact the Bureau of Marine Water Monitoring if you are interested in obtaining a permit at 609-748-2000.

ADDITIONAL AREAS WHERE HARVESTING IS NOT ALLOWED

Waters within all marinas, man-made lagoons, anchorages or other place where docking or mooring facilities are provided for boats

A marina is any structure (docks, floating docks, piers, that supports five or more boats) built on or near the water which is utilitized for docking, storing or otherwise mooring vessels and usually but not necessarily providing service to vessels such as repairing, fueling, security, or other related activities.

Leased Areas

Harvesting from leased shellfish lots is restricted to the lessee. These lots are delineated by stakes or set by the lease holder. Charts of leased areas may be examined at either the Nacote Creek or Bivalve Shellfish Offices.

CLOSED AREA SIGNS

To aid in the delineation of shellfish growing waters, certain areas are posted with the following signs:

PENALTY FOR ILLEGAL SHELLFISHING

1st Offense - Petty Disorderly Persons, Fines up to $500 and/or up to 30 days imprisonment	**2nd Offense - Disorderly Persons, Fines up to $1000 and/or up to 6 months imprisonment**

Additional penalties for illegal shellfishing can include the loss of the privilege to take oysters, clams or other shellfish, for a period of three years for a first offense, five years for a second offense, and 10 years for the third offense and any subsequent offense. Possible seizure and forfeiture of boat and equipment for any offense.

HELP TO PREVENT OVERBOARD DISCHARGES

Please be aware that the overboard discharges of sewage has been linked to illness outbreaks associated with shellfish. Human sewage shall not be discharged into shellfish growing waters at any time, pursant to N.J.A.C. 7:12-8. If you have any questions about the location of Pumpout Stations, please call the New Jersey Division of Fish and Wildlife at (609) 748-2056.
To report an environmental incident impacting NJ, call 1-877-WARNDEP

Shellfish Harvest, Handling, and Transport Requirements for Commercial Shellfish License Holders

The following are requirements for commercial shellfish license holders for the harvest, handling, and transport of shellfish in order to ensure harvested shellfish are safe for human consumption, for a full description of the requirements please see N.J.A.C. 7:12-8. Any person who violates any requirement of N.J.A.C. 7:12-8 may be subject to prosecution and/or penalties pursuant to N.J.S.A. 23:2B-14, 50:1-5 et seq., 58:24-9, 58:24-10, 58:24-10.1, and 2C:64-1 et seq., including the forfeiture of shellfish, which may be seized and returned to the water or destroyed.

Shellfish harvester training requirements

(a) As part of any application for a commercial shellfish license, the applicant shall certify that he or she has completed the shellfish harvester training within the past two years available online at http://www.state.nj.us/dep/bmw/.

Requirements for vessels used to harvest and/or transport shellfish

(a) Any commercial shellfish license holder who harvests and/or transports shellfish shall do so on vessels which meet the requirements at (a)1 through 5 below. In addition, the requirements at (a)6 and 7 below apply if the vessel is used to harvest and/or transport shellfish for direct marketing.

1. Decks and storage bins shall be constructed and located to prevent bilge water or polluted overboard water from coming into contact with the shellfish.
2. Bilge pump discharges shall be located so that the discharge does not contaminate shellfish.
3. Containers used for storing shellfish shall be clean and fabricated from safe materials.
4. Effective coverings shall be provided on harvest boats to protect shellfish from exposure to hot sun, birds, and other adverse conditions that may contaminate or cause the deterioration or decomposition of the shellfish.
5. Cats, dogs, and other animals shall not be allowed on vessels.
6. Decks and storage bins used in the harvest and/or transport of shellfish shall be kept clean with potable water or water classified as Approved or Conditionally Approved in the open status, and provided with effective drainage.
7. Vessels and all other equipment coming in contact with shellfish harvested from waters other than Approved shall be thoroughly cleaned before the vessels and equipment are used to handle and/or transport shellfish for direct marketing.

(b) Human sewage shall not be discharged into shellfish growing waters at any time. Vessels used for the harvest of shellfish shall have a Type III marine sanitation device onboard. A Type III marine sanitation device means, pursuant to 33 CFR 159.3, a device that is designed to prevent the overboard discharge of treated or untreated sewage or any waste derived from sewage. A Type III marine sanitation device shall:

1. Be used only for the purpose intended;
2. Be secured while on board and located to prevent contamination of shellfish by spillage or leakage;
3. Be emptied only into a sewage disposal system;
4. Be cleaned before being returned to the vessel; and
5. Not be cleaned in equipment used for washing or processing food.

Requirement to wash shellfish

(a) A commercial shellfish license holder harvesting shellfish shall wash the shellfish free of bottom sediments as soon after harvesting as practicable.

(b) Shellfish shall be washed using water only from a potable water source or from waters classified as Approved or Conditionally Approved in the open status, except shellfish harvested for depuration which shall be washed in accordance with the Department of Health's rules at N.J.A.C. 8:13.

Requirement to tag containers of shellfish

(a) A commercial shellfish license holder harvesting shellfish shall affix to each container of shellfish at the harvest location a pre-printed tag with the information required at N.J.A.C. 7:12-8.5(b). The tag shall remain affixed to the container during transport to the certified dealer. Shellfish harvested on different dates or from different harvest locations shall not be commingled in a single container with a single tag.

1. When the shellfish license holder harvesting shellfish is a certified dealer, the tag affixed to the container may be either a harvester tag or a dealer tag that meets the requirements established by the Department of Health pursuant to N.J.A.C. 8:13.

(b) If the shellfish is removed from the original tagged container, a tag that meets the requirements at N.J.A.C. 7:12-8.5(b) shall be affixed to the new container.

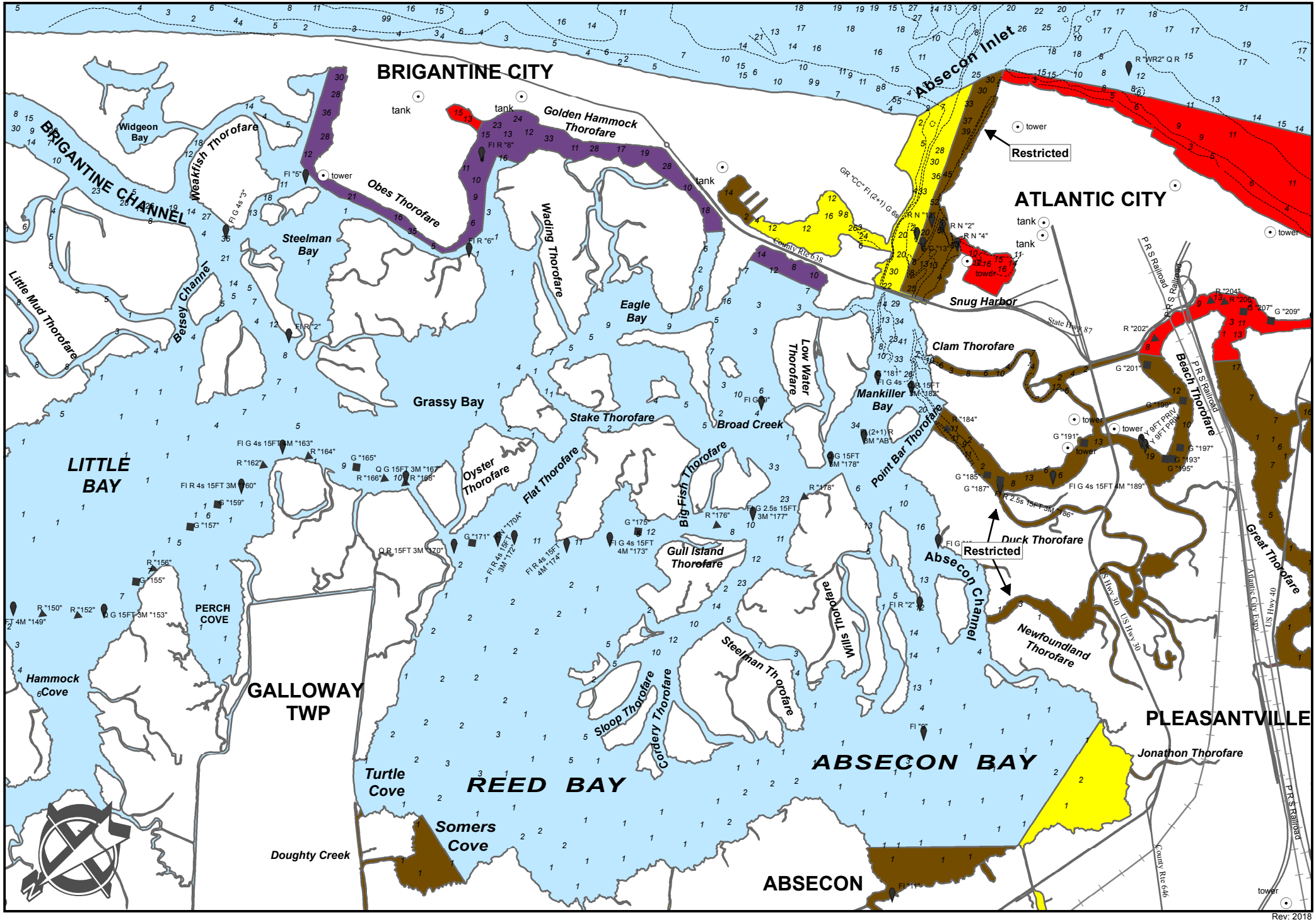
***Vibrio parahaemolyticus* Control Plan time to temperature control requirements for harvesting oysters**

(a) Each year the Department's Bureau of Marine Water Monitoring and the Department of Health develop a ***Vibrio parahaemolyticus*** Control Plan. This plan is in effect from June 1st to August 31st. Commercial harvesters are subject to the conditions of the plan. A copy of the plan is available at http://www.state.nj.us/dep/bmw/ or by calling the Bureau at 609-748-2000.

NEW JERSEY SHELLFISH GROWING WATER CLASSIFICATION CHART 12

Legend

- Approved
- Conditionally Approved (Jan.-Apr.)
- Conditionally Approved (Nov.-Apr.)
- Restricted
- Prohibited
- Suspended



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