

pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:13 is readopted and shall continue in effect for seven years.

**Full text** of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. SANITATION, HANDLING, SHIPPING, AND SHUCKING OF SHELLFISH

8:13-1.2 Definitions

In addition to definitions contained in the "Definitions" section of the Model Ordinance, the following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise.

...

"Department" means the New Jersey Department of Health [and Senior Services].

...

8:13-1.7 Oyster temperature control

(a)-(d) (No change.)

(e) Harvesters and vehicle transporters may apply to the Commissioner in care of the [Food and Drug Safety] **Public Health and Food Protection** Program, Consumer, Environmental and Occupational Health Service, Public Health Services Branch, New Jersey Department of Health [and Senior Services], PO Box 369, Trenton, NJ 08625-0369, for authorization to use means other than the mechanisms required in (a) through (d) above to control the temperature of oysters on board a vessel during harvesting, on board a vehicle during transportation, while being held at a certified dealer's establishment and/or upon delivery to another establishment.

1. (No change.)

(f) The requirements at (a) through (e) above for oyster temperature control on board the harvest vessel, after offloading, on transportation vehicles, while being held at a certified dealer's establishment and upon delivery to another establishment or dealer, are part of New Jersey's *Vibrio parahaemolyticus* Control Plan as implemented by the New Jersey Department of Health [and Senior Services] during the year.

SUBCHAPTER 2. DEPURATION OF HARD SHELL AND SOFT SHELL CLAMS

8:13-2.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

...

"Shellfish Resource Recovery Steering Committee" (SRRSC) means designated representatives from the Department of Environmental Protection and the Department of Health [and Senior Services] who have regulatory responsibilities for resource recovery programs.

...

8:13-2.4 Hard and Soft Shell Clam Depuration Program

(a) Any person(s) wishing to construct and/or operate a soft or hard shell clam depuration plant shall submit to the SRRSC a detailed proposal providing all pertinent information concerning the proposed plant on applications provided by the SRRSC.

1. (No change.)

2. All depuration plant proposals shall be forwarded to:

[Food and Drug Safety] **Public Health and Food Protection** Program  
Consumer, Environmental and Occupational Health Service  
Public Health Services Branch  
New Jersey Department of Health [and Senior Services]  
PO Box 369  
Trenton, NJ 08625-0369

(b)-(d) (No change.)

(e) The SRRSC shall have the right to limit the number of plant permits issued, based upon Department of Environmental Protection and Department of Health [and Senior Services] enforcement capabilities.

8:13-2.17 Plant capacity control

(a) The maximum amount of clams in each tank shall not exceed the flow requirement of one gallon per minute of seawater per bushel of clams nor the physical size limits of the tank and other spacing criteria established in this subchapter.

1.-3. (No change.)

4. The DPO shall notify the Department by telephone at [(609) 588-3123] **609-826-4935** by the beginning of the next working day if the total capacity of the system changes, by either an increase or a decrease in flow capacity[,] and resubmit in writing the new rated capacity for departmental approval within five days after verbal notification.

5.-6. (No change.)

8:13-2.22 Bacteriological sampling

(a)-(c) (No change.)

(d) Clam process batch(es) that do not meet the bacteriological standard provided at N.J.A.C. 8:13-2.21 after 48 hours of depuration shall be further depurated for an additional 24 hours.

1. (No change.)

2. The certificate holder shall notify the shellfish program coordinator in the Department's [Food and Drug Safety] **Public Health and Food Protection** Program by telephone at [(609) 588-3123] **609-826-4935** immediately upon receipt of bacteriological results that batch(es) do not meet the standard after 48 or 72 hours of depuration.

(e)-(f) (No change.)

8:13-2.23 Recordkeeping

(a) (No change.)

(b) Copies of the records required in (a)1 through 7 above shall be submitted by telefacsimile to the shellfish program coordinator in the Department's [Food and Drug Safety] **Public Health and Food Protection** Program at [(609) 588-3135] **609-826-4992** by no later [the] **than** 12:00 noon of the next working day.

(a)

**OFFICE OF THE CHIEF STATE MEDICAL EXAMINER**  
**Notice of Administrative Changes**  
**Recodification of State Medical Examiner Rules**  
**from N.J.A.C. 13:49 to 8:70**

**Take notice** that the Office of the Chief State Medical Examiner (Office) was created as an independent agency within the Department of Health (Department) by the Revised State Medical Examiner Act, P.L. 2018, c. 62 (the Act), approved July 3, 2018, effective September 1, 2018. The Act transferred all functions, powers, and duties of the Office of the State Medical Examiner in the Department of Law and Public Safety (OSME) to the new Office and abolished the OSME. The Office requested, and the Office of Administrative Law agreed to permit, the administrative recodification of N.J.A.C. 13:49 as 8:70. This recodification, along with attendant technical changes to the rule text concerning cross-references, agency names, and addresses are effective October 15, 2018, and shall be manifested in the New Jersey Administrative Code in the 10-15-18 Code Update. This notice of administrative changes is published in accordance with N.J.A.C. 1:30-2.7.