



## OYSTER FACT SHEET

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### Licenses and Permit

One of two licenses issued by the Louisiana Department of Wildlife and Fisheries is usually necessary for the purchase and resale of oysters in Louisiana. The \$250 **Wholesale/Retail Seafood Dealers License** allows the license holder to buy seafood products directly from licensed harvesters and from other Wholesale/Retail Seafood Dealer License holders. No restrictions exist on who holders of this license may sell seafood products to. The \$100 **Retail Seafood Dealers License** allows the holder to purchase seafood only from Wholesale/Retail Seafood Dealers License holders and sell only to the public. Restaurants selling seafood are exempt from the purchase of dealer licenses except for those serving raw fish products such as sushi or sashimi. These restaurants must purchase a Retail Seafood Dealers License.

Individuals or businesses that shuck oysters to sell to another dealer for resale must possess a **Shucker-packer Permit** from the Louisiana Department of Health and Hospitals. A seafood retailer may shuck oysters at the place of business, but only for sale to the public. These oysters cannot be prepackaged into closed containers except at the time of sale to the ultimate consumer. They must be displayed in the service case or stored in the cooler in an open container. They may also be sold on the half-shell.

### Tags

All oysters must be tagged, whether in containers or sacks. Unshucked oysters must be tagged with the harvester's name, address, license number, area harvested and the harvest date. Containers of shucked oysters must be dated and have the name and address of the original processor, shucker-packer or repacker, and the Louisiana certification number. All tags must be kept for 90 days. Zero tolerance exists for untagged oyster containers or sacks. Any untagged or improperly tagged container or sack will be considered to have been taken from polluted waters and deemed a health hazard. Oysters must be kept in the container in which they were received until they are used, except that retailers may place them in a display container. Oysters from different lots may not be comingled (mixed).

## **Handling and Storage**

Oysters may contain bacteria (*Vibrio vulnificus*) that can cause serious illness when eaten raw. These bacteria can grow rapidly at high nonrefrigerated temperatures. Proper storage is critical to control the growth of these harmful bacteria. Containers of shucked oysters should be stored at 32 - 38 °F, ideally packed in ice. Temperatures that low may kill a live oyster, so unshucked oysters should be stored at 40 - 45 °F. Fluctuations in temperature must be avoided. Live oysters should be stored away from the door of the cooler, where temperatures rise every time the door is opened. Live oysters should never be stored in direct contact with ice, in plastic bags or in water because the oysters will die.

For both shucked and unshucked oysters it is important to rotate the stock. Use the oldest oysters first to prevent spoilage of shucked oysters and gapping in live oysters. Gapped oysters are those with their shell open. If a gapped oyster closes its shell when tapped by an oyster knife, it is fine and may be used. If it doesn't close its shell, it is dead and should be discarded. A certain amount of gapped oysters can be expected in any delivery, especially in summer months when heat stresses live oysters.

Oysters may be sold by volume, weight or count (number). Oysters sold by count must include weight on the container except at the retail level. Louisiana law allows for up to 15 percent free liquid in any volume container of shucked oysters.

## **Advisory Requirements**

All establishments that sell or serve raw oysters must display signs, menu notices, table tents or other clearly visible messages with the following wording: THERE MAY BE A RISK ASSOCIATED WITH CONSUMING RAW SHELLFISH AS IS THE CASE WITH OTHER RAW PROTEIN PRODUCTS. IF YOU SUFFER FROM CHRONIC ILLNESS OF THE LIVER, STOMACH OR BLOOD OR HAVE OTHER IMMUNE DISORDERS, YOU SHOULD EAT THESE PRODUCTS FULLY COOKED. This message must also appear on the principal display panel and top of containers of shucked oysters and on the tags of sacks or containers of unshucked oysters.

Various post-harvest treatments have been developed to reduce *Vibrio vulnificus* bacteria to non-detectable levels without cooking the oyster. The process treatments that are recognized by the State Health Officer include high pressure processing (HPP), low-temperature pasteurization, and proper freezing processes. These post-harvest treatments were developed in Louisiana, and raw, untreated oysters are readily available. Establishments that serve only raw oysters that have been treated by these post-harvest treatments may apply in writing to the State Health Officer for an exemption from the mandatory consumer notification requirement.