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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

September 7, 2006

Honorable Dennis C. Wolff, Secretary  
Department of Agriculture  
211 Agriculture Building  
2301 North Cameron Street  
Harrisburg, PA 17110

Re: Regulation #2-151 (IRRC #2526)  
Department of Agriculture  
Shellfish

Dear Secretary Wolff:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at [www.irc.state.pa.us](http://www.irc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Alvin C. Bush".

Alvin C. Bush

Chairman

wbg

Enclosure

cc: Honorable Mike Waugh, Chairman, Senate Agriculture and Rural Affairs Committee  
Honorable Michael A. O'Pake, Minority Chairman, Senate Agriculture and Rural Affairs Committee  
Honorable Arthur D. Hershey, Majority Chairman, House Agriculture and Rural Affairs Committee  
Honorable Peter J. Daley, II, Democratic Chairman, House Agriculture and Rural Affairs Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 7, 2006

Alvin C. Bush, Chairman  
David M. Barasch, Esq.  
Arthur Coccodrilli  
David J. DeVries, Esq.  
John F. Mizner, Esq., by Phone

Regulation No. 2-151  
Department of Agriculture  
Shellfish

On February 13, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapter 49. The proposed regulation was published in the February 25, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 21, 2006.

This regulation clarifies and updates existing provisions on the processing, transportation, storage and sale of shellfish. It adopts the National Shellfish Sanitation Program Model Ordinance which is developed and published by U.S. Food and Drug Administration in collaboration with the states, other nations and industry.

We have determined this regulation is consistent with the statutory authority of the Department (31 P.S. §§ 20.13 and 20.14) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
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Alvin C. Bush, Chairman