

- iv. approving and supervising harvesting and relaying operations and ensuring proper labeling and identification of molluscan shellfish in accordance with the NSSP;
- v. restricting the harvest of molluscan shellfish from unapproved growing areas, controlling the harvest of molluscan shellfish from unapproved growing areas, and taking enforcement action against persons or firms harvesting from unapproved growing areas;
- vi. prohibiting the harvest of molluscan shellfish from growing areas in response to contamination emergencies and for rescinding such prohibitions when water quality data or marine biotoxin analyses demonstrate that the area meets NSSP approved area criteria;
- vii. recalling unsafe molluscan shellfish when the responsible processor fails to carry out the necessary product recall;
- viii. maintaining NSSP conforming laboratories certified to participate in the MSSP;
- ix. inspecting processors that process fresh or frozen aquacultured molluscan shellfish for export to the United States of America to ensure compliance with NSSP controls;
- x. certifying processors exporting fresh or frozen aquacultured molluscan shellfish to the United States of America in accordance with the NSSP for listing on FDA's Interstate Certified Shellfish Shippers List (ICSSL);
- xi. notifying FDA of the name, location and certification number of MSSP certified processors exporting to the United States of America on Form FD-3038, "Shellfish Dealer Certification";
- xii. canceling the certification of any processor that:
  - operates out of compliance with the NSSP;
  - ships molluscan shellfish from unapproved growing areas; or
  - ships molluscan shellfish that otherwise do not conform to the requirements of the U.S. Federal Food, Drug, and Cosmetic Act, the U.S. Public Health Service Act, the U.S. Fair Packaging and Labeling Act, or Title 21 of the U.S. Code of Federal Regulations.