

Protocol for the Import of Live Eastern Oysters (*Crassostrea virginica*) Into Louisiana Waters

LDWF Office of Fisheries - Oyster Program

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Introduction

The Louisiana Department of Wildlife and Fisheries (LDWF) recognizes an increase in interest in importing the eastern oyster (*Crassostrea virginica*) into Louisiana to develop genetic diversity and/or for developing polyploidy broodstock to enhance wild native populations and improve cage culture production (on-bottom and off-bottom). However, as per Louisiana Revised Statutes (R.S.) §56:15 and §56:20, no person may release or place molluscan shellfish, larval stages, or spat into the waters of Louisiana (whether public or private) without LDWF Secretarial or designee approval. Oyster importation guidelines have been established to monitor all oyster imports into Louisiana to protect against the introduction of *Haplosporidium nelsoni* (MSX) and *Bonamia exitiosa*; to lessen potential impacts of *Perkinsus marinus* (dermo); and to protect against the introduction of parasites and invasive species that are associated with oysters. This document outlines the LDWF oyster importation guidelines and explains the process from filing an application to transporting oysters into the state.

ONLY *C. virginica* from Northern Gulf of America (GOA) waters will be considered for importation into Louisiana. If properly permitted by LDWF, oysters may be imported as adult, spat, seed, larvae, or genetic material (eggs and sperm).

Oyster Import Application

Any oyster importation must be approved by LDWF prior to the importation. Those wishing to import oysters may submit an Oyster Importation Application to LDWF for consideration. There is no fee to apply and applications can be submitted electronically. Although LDWF strives to issue a decision within 10 business days from the date of receipt of all required documentation, applicants should be aware that processing may take longer and that application submittal does **NOT** guarantee approval. Applications are evaluated on a case-by-case basis. Applicants will be notified in writing of the department's decision.

The Oyster Importation Application form can be found on the LDWF website:

https://www.wlf.louisiana.gov/assets/Fishing/Commercial_Fishing/Files/Commercial-Oyster/LDWF-Oyster-Importation-Application_2022-5.12.22.pdf

LDWF is a collaborating partner in the Regional Shellfish Seed Biosecurity Program (RSSBP). If the sole oyster source is an RSSBP-certified facility located in Northern GOA waters, and if the (tentative) imported product is less than 1 inch in size, the applicant need only indicate that on their application to be considered for a waiver of health certificate requirements. More information about RSSBP can be found at <https://rssbp.org>.

Oysters from non-RSSBP-certified facilities must have a valid Oyster Health Certificate (hereinafter referred to as "health certificate") before importation approval. See "Disease Testing" section for details.

Health certificates are required for all larger than 1 inch seed or adult brood stock oysters, regardless of source.

Applicants are required to supply the following on their application:

- a. Name and company affiliation (if applicable)
- b. Mailing address
- c. Phone number
- d. Email address
- e. Life-stage and total number of oysters to be imported with the requested importation event
- f. The estimated number of importation events within (1) calendar year from the out-of-state hatchery listed in (h), if multiple imports are anticipated.
- g. Final location (water body or physical address) of proposed culture/placement of imported oysters
- h. Name and address of the oyster source(s)
 - Multiple sources may be listed on a single import application
 - Sources cannot be added to an existing permit if they were not listed on the original application.
- i. For Florida/Texas imports (larger than R6) -- Explanation of supplemental bio-security measures that will be taken to minimize the risk of introducing parasites and invasive species into Louisiana waters.
 - A Louisiana Molluscan Shellfish Aquaculture Permit (MSP) is needed for all FL/TX imports. See "Florida and Texas Import Measures" section for details.

LDWF will notify the applicant in writing if the application has been approved or denied. If the application has been denied, LDWF shall include written reasons for that determination. Approved applicants are eligible for a Special Permit for Importation and Release of Oysters, along with instructions pertinent to the importation. Approved applications are kept on active file for one calendar year, and corresponding permit(s) associated with application details will display an expiration date for each import event. All permits will include:

- a. An expiration date.
 - Import permits requiring a health certificate will be valid for 60 days from the health certificate testing date.
 - Import permits exempted from health certificates may be valid for up to 1 year from the date of permit issue.
- b. A listing of approved out-of-state source facility(s) for oysters.
- c. A listing of approved release locations and/or approved facility location.
- d. A listing of approved oyster life stages specific to source and import request.
- e. A statement that the permit, a copy of the original application, and any applicable health certificate(s) must accompany the oysters during importation. Copies of all required documentation are provided with the permit when issued.

- f. Additional instructions relative to each importation event covered within the permit.
 - For all importation events, the permittee must provide sufficient notice prior to importation into Louisiana. LDWF requires no more than five and no less than two business days for notice prior to the arrival of the oysters in Louisiana. Notices can be submitted by email or phone to LDWF per the instructions provided. Acknowledgment of receipt of notice will be provided in writing.
 - For FL/TX importation events subject to the MSP, the permittee must additionally obtain, in writing, approval from the LDWF Fisheries Permit Manager, which must be requested no less than two business days before the expected date of shipment from the previously approved source.

Disease Testing

At this time, only hatcheries located within Mississippi and Alabama and working exclusively with *C. virginica* from the GOA will be permitted to have their oyster products imported into Louisiana for placement into Louisiana waters. Florida and Texas hatcheries may qualify as oyster source providers under the condition that the imported product will NOT be placed directly into Louisiana waters. FL/TX oysters are only approved for commercial land-based aquaculture in Louisiana, and tentative importers must first request an MSP from LDWF, which is separate from the oyster importation permit described in this document. (See "Florida and Texas Import Measures" for details.)

The purpose of the RSSBP is to facilitate the process of permitting interstate commerce of biosecure bivalve shellfish smaller than 1 inch in size sold directly out of hatchery facilities. The Program is voluntary for hatcheries. Program participants will be able to have their oyster product shipped into partner states (such as Louisiana) via a streamlined permitting process for facilities and products that are compliant under this program. LDWF is also a collaborating partner in the RSSBP. Importations from hatcheries certified by RSSBP are not subject to health certificate requirements. Additional information about RSSBP can be found at <https://rssbp.org>.

If the applicant is purchasing from a hatchery not enrolled in RSSBP, the source hatchery must provide a health certificate as stated elsewhere in this document.

Disease evaluations must use standard histopathology methods (such as Ray's fluid thioglycollate method (RFTM)), molecular diagnostics must be by an independently approved pathologist, and the resulting health certificate must clearly state that the oysters are free of disease, parasites, and invasive species. The certificate must include, at a minimum:

- a. A dated pathology report indicating that at least the following organisms were tested for and that the results met the allowable detection limits:

- MSX (*Haplosporidium nelsoni*)-No detection
- Bonamiosis (*Bonamia exitiosa*)-No detection
- Dermo (*Perkinsus marinus*)- <10% prevalence
- b. A description of the testing methods used
- c. Testing facility lab name and address
- d. Certification case number
- e. Certification date.

LDWF considers health certificates valid for 60 days from the date of testing and should be specific to the batch of oyster product that will tentatively be imported. LDWF Oyster Program does not certify testing facilities. The burden for testing falls to the import applicant and the health certificates provided by hatcheries selling oyster product will be evaluated based on the information provided within the certificate.

Florida and Texas Import Measures

Brown mussels (*Perna perna*) and green mussels (*Perna viridis*) are found in the warmer, southern waters of the GOA. Both are nonindigenous to the GOA and are classified as "invasive." If introduced into waters in the northern GOA, with its favorable and similar estuary conditions, both species have the potential to alter the dynamics of native ecosystems and compete with other benthic marine species for resources.

Using a working assumption that hatcheries, specifically along southern Florida and Texas, may not use filtration to raise seed, imported seed from those states have an increased risk of introducing *P. perna* and *P. viridis* into Louisiana estuaries. Additionally, although RSSBP Certification indicates hatcheries are free of disease, its certification model does not test for presence/absence of mussels. As a result, oysters from Texas and Florida will not be permitted to be placed in Louisiana waters. However, (FL/TX) oysters may be imported for use in landlocked facilities under Domestic Aquatic Organisms (DA0) guidelines (LAC 76:VII.921). Applications for a Molluscan Shellfish Aquaculture Permit may be obtained by contacting the fisheries permit manager by email: fisheriespermits@wlf.la.gov, or by mail:

Louisiana Department of Wildlife and Fisheries
 Fisheries Permit Manager
 P.O. Box 98000
 Baton Rouge, LA 70898-9000

Summarized Steps for the Importation of Oysters

1. An Oyster Importation Application is completed and submitted to LDWF as per instructions on the application.
 - a. If the seed or larvae are from a certified RSSBP facility and the facility is certified for the size class being imported (i.e. < 1 inch), no additional testing information is needed.
 - b. If the oysters are coming from a non-RSSBP facility, and/or are greater than 1 inch in size, a health certificate from the source must be submitted before importation is allowed. The applicant may choose to submit such a certificate at the time of application if readily available, but applications can be submitted ahead of tentative testing to help expedite application processing.
 - c. It is the applicant's responsibility to ensure receipt of the application by LDWF. See application for contact information.
2. Following receipt of the application, LDWF will strive to issue a decision within 10 business days from the date of receipt of all required documentation.
3. Applicants will be notified in writing of the department's decision.
4. If the application is approved, a permit will be sent to the applicant electronically and/or through mail along with any additional information LDWF deems necessary.
 - a. An expiration date will appear on issued permits, but generally, permits are valid sixty (60) days from the date of issuance and/or from the date of testing.
5. If additional imports are anticipated at later dates within the application year and under conditions outlined in application, additional permits can be issued (without the importer needing to reapply), provided that updated health certificates are submitted to LDWF.
6. Applicant shall notify LDWF no more than five, and no less than two, business days prior to the arrival of oysters in Louisiana territory.
 - a. Instructions on how to submit notices will be provided at the time of permit issuance.
 - b. Minimal required information to be included in each notice:
 - i. Applicants name
 - ii. Source of oysters
 - iii. Oyster life stage (e.g., larvae, set spat, seed)
 - iv. Amount of oysters to be imported (e.g, sacks, individuals)
 - v. Estimated timeframe of transport, estimated release date, and location of approved release.
 - c. Notices will be forwarded to LDWF Enforcement agents by LDWF staff.
7. The permit holder will ensure that copies of the permit, health certificate(s) (if applicable), and original application accompany the oysters during each importation event covered under the permit.

8. Import permits are not transferable from person to person, or property to property.
9. If deemed necessary, LDWF may require additional actions, steps, and safety precautions be taken by the importee to grant importation request, to ensure the safety of native oyster populations. The importee will be notified of any additional necessary action required to grant their importation request before a permit is issued.