

By: Eiland

H.C.R. No. 1

CONCURRENT RESOLUTION

1 WHEREAS, Texas is the country's second-largest oyster  
2 producer, accounting for 13 percent of the nation's total  
3 production of oysters; and

4 WHEREAS, Texas oysters from the Gulf of Mexico are subject to  
5 stringent federal and state regulations, including a tough  
6 monitoring program executed by several state agencies to oversee  
7 the harvest, sale, handling, and storage of the oysters; and

8 WHEREAS, Eating raw Texas oysters is perfectly safe for most  
9 diners, but there is a risk associated with consuming raw oysters  
10 for persons with certain health conditions; and

11 WHEREAS, The Texas Department of Health (TDH) has an  
12 aggressive campaign to warn at-risk persons to eat only cooked  
13 oysters to avoid the *vibrio vulnificus* bacteria that occurs  
14 naturally in marine waters; and

15 WHEREAS, TDH is participating in a National Shellfish  
16 Sanitation Program plan to reduce *vibrio vulnificus* illness rates  
17 by 40 percent in 2005 and 2006 and by 60 percent in 2007 and 2008  
18 relative to the average rates for years 1995 to 1999; and

19 WHEREAS, Despite this consensus plan and the absence of any  
20 crisis, the California Department of Health Services recently  
21 enacted emergency regulations to restrict the sale in California of  
22 raw oysters from Texas and four other Gulf Coast states; and

23 WHEREAS, The effect of such a restriction could be  
24 devastating on an industry that has a \$50 million annual impact on

1 the Texas economy, involving significantly more than the actual  
2 harvesting of oysters; and

3 WHEREAS, The regulations are a drastic deviation from the  
4 national guidelines to require *vibrio vulnificus* illness reduction  
5 of 40 and 60 percent in five- and seven-year time frames; now,  
6 therefore, be it

7 RESOLVED, That the 78th Legislature of the State of Texas  
8 hereby respectfully urge the California governor, legislature, and  
9 health agency to repeal emergency regulations that restrict the  
10 sale in California of raw oysters from Texas and four other Gulf  
11 Coast states; and, be it further

12 RESOLVED, That the Texas secretary of state forward official  
13 copies of this resolution to the governor of the State of  
14 California, to the president pro tem of the California State Senate  
15 and the speaker of the California State Assembly, to the chairs of  
16 the Senate Health and Human Services Committee and the Assembly  
17 Health Committee, and to the director of the California Department  
18 of Health Services with the request that this resolution be  
19 officially entered into the record as a memorial to the California  
20 governor, legislature, and health agency.