

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 28.2-526 of the Code of Virginia, relating to oyster measures.*

3 [H 648]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 28.2-526 of the Code of Virginia is amended and reenacted as follows:**7 **§ 28.2-526. Oyster measures; standards; penalty.**8 A. Except as provided in subsection B, C, or D, it is unlawful for any person to buy or sell oysters
9 in the shell by any measure other than:10 1. One-half bushel or one bushel metallic measures. Such containers shall be metallic circular tubs
11 with straight sides and straight bottoms and may have holes for draining one inch in diameter. A
12 half-bushel tub shall have the following dimensions, all measured from inside to inside: 15 inches across
13 the top, 13 inches across the bottom, and 17 inches diagonally from the inside chine to the top; and a
14 bushel tub shall measure 18 1/2 inches across the top, 17 inches across the bottom, and 21 1/2 inches
15 diagonally from the inside chine to the top. Oysters harvested from the public rocks in the Potomac
16 River or its tributaries may be bought or sold in one bushel metallic measures which shall measure 18
17 inches across the top, 16 1/2 inches across the bottom, and 21 inches diagonally from the inside chine to
18 the top. Such containers shall be level full across the entire top of the container to be considered a full
19 measure; or20 2. A container of not less than ~~2,800~~ 2,500 cubic inches and not more than 3,000 cubic inches, the
21 make and model of which has been approved by the Commission.22 Any seller of oysters or oyster shells who fails to furnish at the point of landing a full measure as
23 defined in this section, or a buyer of any seed oysters or oyster shells who accepts less than a full
24 measure as defined in this section, is guilty of a Class 1 misdemeanor.25 B. Oysters may be sold in containers of a size greater than 18 1/2 inches across the top, 17 inches
26 across the bottom, and 21 1/2 inches diagonally from the inside chine to the top if such container has
27 been approved by the Commissioner and its use to measure oysters has been approved by both the
28 buyer and seller.29 C. On the eastern or ocean side of the Eastern Shore, oysters may be sold without being measured if
30 both the buyer and the seller agree to the number of bushels of oysters in the transaction.31 D. Cultured oysters in the shell may be sold in any measure or container agreeable to the buyer and
32 seller.

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