



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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June 1, 2007

Boards of Selectmen and Mayors of the following municipalities: Salisbury, Newbury, Newburyport, Rowley, Ipswich, Essex, Gloucester, Rockport, Manchester, Beverly, Danvers, Salem, Marblehead, Swampscott, Lynn, Nahant, Saugus, Revere, Winthrop, Boston, Winthrop, Hingham, Hull, Cohasset, Scituate, Marshfield, Duxbury, Kingston, Plymouth, Bourne, Sandwich, Barnstable, Yarmouth, Dennis, Brewster, Orleans, Eastham, Wellfleet, Truro and Provincetown, Chatham, Harwich, Nantucket, Edgartown, Tisbury, West Tisbury and Aquinnah.

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that all shellfish, **except Moon snails (*Polinices duplicatus* and *Lunatia heros*)** from the marine waters of the Commonwealth of Massachusetts **no longer contain biotoxin (PSP)** from the phytoplankton *Alexandrium* (spp) in excess of established standards.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) **at sunrise on June 2, 2007**, all shellfish except **Moon snails (*Polinices duplicatus* and *Lunatia heros*)**, in the marine waters of the Commonwealth (**except shellfish areas OC:2 through OC: 6 in the Nauset Estuarine System in the Towns of Orleans and Eastham**) will revert to their former status prior to the PSP closures of May 19, 2005 through June 6, 2005. Those shellfish areas classified as APPROVED and in the "open" status to shellfish harvesting are now open to the harvest of shellfish, **except Moon snails (*Polinices duplicatus* and *Lunatia heros*)**, for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those shellfish areas classified as CONDITIONALLY APPROVED are open subject to the classification conditions.

MARINE WATERS OF THE COMMONWEALTH OF MASSACHUSETTS
Except shellfish areas OC:2 through OC: 6 in the Nauset Estuarine System in the Towns of Orleans and Eastham,
Status: Open to Shellfishing, except Moon snails (*Polinices duplicatus* and *Lunatia heros*),
(as noted above)

"The waters, flats and all tributaries of those marine waters in the Commonwealth of Massachusetts (**except shellfish areas OC:2 through OC: 6 in the Nauset Estuarine System**

in the Towns of Orleans and Eastham) from the Massachusetts/New Hampshire state border to the Massachusetts/Rhode Island state border."

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, R. Arduini, K. Dolan, DELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
Constables of the above-listed towns