



Paul J. Diodati  
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Deval Patrick  
Governor  
Ian Bowles  
Secretary  
Mary B.  
Griffin  
Commissioner

August 21, 2008

To the selectmen of the following municipalities:

Hull, Cohasset, Scituate, Marshfield, Duxbury, Plymouth, Bourne and Sandwich

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **whole Sea scallops** from areas MB:1 through MB:12 and CCB:38 to CCB:41 and CCB:48 and CCB:51 in Massachusetts Bay and Cape Cod Bay defined below **no longer contain biotoxins (Paralytic Shellfish Poison- (PSP))** from the phytoplankton *Alexandrium (spp.)* in excess of established standards. **The areas described below remain closed to the harvesting of all other molluscan shellfish.**

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00, the PSP closures for **whole Sea scallops** on May 22, 2008 **will be rescinded at sunrise on August 22, 2008**. **Whole Sea scallops** in areas currently classified as APPROVED and in the "open" status may now be harvested for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52.

Under authority of Massachusetts General Laws, Chapter 130, Section 74A and 75, the status of the below-defined areas remains **CLOSED to the harvesting of all other molluscan shellfish**. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish, except whole Sea scallops, and the possession of shellfish, including carnivorous snails, from the below-defined areas is prohibited.

Under authority of 322 CMR 7.01(7) all permits issued thereunder are hereby conditioned to prohibit the taking, selling or possession of shellfish, except whole Sea scallops, from the below-defined areas.

**Status: Open to the harvesting of whole Sea scallops (harvesting of all other molluscan shellfish remains closed)**

“The waters and flats of the Commonwealth in the above-listed cities and towns south of a line drawn from Point Allerton in the Town of Hull easterly to the state territorial waters line and southward to the Bourne/Sandwich town line including areas MB:1 through MB:12 and CCB:38 to CCB:41, CCB:48 and CCB:51.”

Sincerely,

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Paul J. Diodati  
Director

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