



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
Griffin
Commissioner

August 21, 2009

Mayors and Boards of Selectmen of the following cities and towns: Salisbury, Newbury, Newburyport, Rowley, Ipswich, Essex, Gloucester and Manchester

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that shellfish, except carnivorous snails, Ocean quahogs and whole Sea scallops, from the below-defined areas **no longer contain biotoxins (Paralytic Shellfish Poison - (PSP))** from the phytoplankton *Alexandrium (spp.)* in excess of established standards. **These areas remain closed to the harvesting of carnivorous snails, Ocean quahogs and whole Sea scallops (with the exception of the adductor muscle of the Sea scallop).**

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sections 74A and 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00, the PSP closures issued on May 22, 2009 **will be rescinded at sunrise on Saturday, August 22, 2009** in the below-defined areas for all shellfish, except carnivorous snails, Ocean quahogs and whole Sea scallops. Shellfish in areas currently classified as APPROVED and in the "open" status **may be harvested on Saturday, August 22, 2009** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those areas classified as CONDITIONALLY APPROVED or CONDITIONALLY RESTRICTED and in the "open" status are subject to the classification conditions. All previous bacterial closures remain in effect. **These areas remain closed to the harvesting of carnivorous snails and whole Sea scallops (with the exception of the adductor muscle of the Sea scallop).**

Status: Open to the harvesting of shellfish, except carnivorous snails, Ocean quahogs and whole Sea scallops. These areas remain closed to the harvesting of carnivorous snails, Ocean quahogs and whole Sea scallops (with the exception of the adductor muscle of the Sea scallop).

“The waters, flats and all tributaries in the above-listed cities and towns and those marine waters managed by the Commonwealth from the New Hampshire/Massachusetts state boundary to the Gloucester – Manchester city/town line, N: 1 through N: 14.”

Sincerely,

Paul J. Diodati
Director

cc: A. Gross, J. Tulik, OLE
D. McKiernan, M. Hickey, D. Whittaker, J. Kennedy DMF
WPC, DEP
FDA
DPH
Shellfish Constables of the above-listed cities and towns