



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

December 30, 2008

**~~-EXTENSION OF EMERGENCY PSP CLOSURE-~~**

Dear Federal Permit Holder or Dealer:

The U.S. Food and Drug Administration (FDA) has requested a continuance of the emergency regulations of December 31, 2007, which implemented a temporary paralytic shellfish poisoning (PSP) closure (i.e., Temporary PSP Closure Area) due to the presence of high levels of the toxin that causes PSP. *See chart of the closure area on the reverse side.* **This action extends the current closure through December 31, 2009.** If warranted, the emergency regulations may be terminated at an earlier date by publication in the Federal Register of a notice of termination.

The northern component of the Temporary PSP Closure Area prohibits all bivalve molluscan shellfish fishing, with the exception of sea scallop adductor muscles harvested and shucked at sea. The northern component of the Temporary PSP Closure Area includes all Federal waters bound by the following coordinates in the order stated: (1) 43°00' N. lat., 71°00' W. long.; (2) 43°00' N. lat., 69°00' W. long.; (3) 41°39' N. lat., 69°00' W. long.; (4) 41°39' N. lat., 71°00' W. long., and then ending at the first point.

The southern component of the Temporary PSP Closure Area prohibits only the harvest of whole or roe-on scallops. The southern component of the Temporary PSP Closure Area includes all Federal waters bound by the following coordinates in the order stated: (1) 41°39' N. lat., 71°00' W. long.; (2) 41°39' N. lat., 69°00' W. long.; (3) 40°00' N. lat., 69°00' W. long.; (4) 40°00' N. lat., 71°00' W. long., and then ending at the first point. This is necessary because scallop viscera and roe can retain PSP toxins longer than other species of molluscan shellfish. This temporary rule will expire after December 31, 2009, unless otherwise rescinded by the Regional Administrator.

A copy of the final emergency rule is available at NMFS's Northeast Regional Office Web Site: <http://www.nero.noaa.gov>. If you have any questions on this continuation of the emergency action, please call Tim Cardiasmenos at (978) 281-9204.

Sincerely,

Patricia A. Kurkul  
Regional Administrator

*This small entity compliance guide complies with section 212 of the Small Business Regulatory Fairness Act of 1996.*



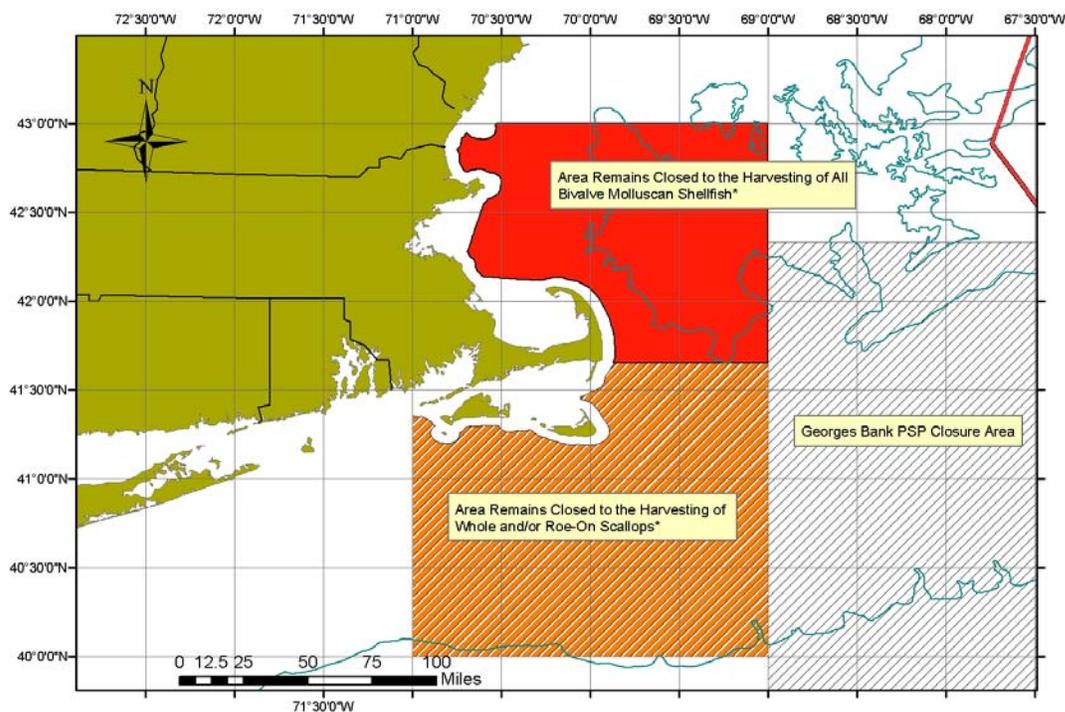
Coordinates for the Northern Temporary PSP Closure Area.

Point	Latitude	Longitude
1	43° 00' N	71° 00' W
2	43° 00' N	69° 00' W
3	41° 39' N	69° 00' W
4	41° 39' N	71° 00' W
5	43° 00' N	71° 00' W

Coordinates for the Southern Temporary PSP Closure Area

Point	Latitude	Longitude
1	41° 39' N	71° 00' W
2	41° 39' N	69° 00' W
3	40° 00' N	69° 00' W
4	40° 00' N </td <td>71° 00' W</td>	71° 00' W
5	41° 39' N	71° 00' W

**Continuation of the Emergency Closure of Federal Waters to the Harvest of Shellfish  
Due to the Toxin that Causes Paralytic Shellfish Poisoning (PSP)**



\*Exception allowed for scallop harvesting with onboard shucking of the adductor muscle only.