



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

December 28, 2007

~~-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 October 18, 2005, 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, 2008.** 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., 69°00' W. long.; (2) 41°39' N. lat., 71°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 This temporary rule will expire after December 31, 2008, unless otherwise rescinded by the Regional Administrator.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 of Temporary PSP Closure Area

Original PSP Closure (remains in effect for whole and roe-on Atlantic sea scallops)

- (1) 43°00' N. lat., 71°00' W. long.;
- (2) 43°00' 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
- (5) then ending at the first point.

Portion of the Temporary PSP Closure Area re-opened on Sept. 9, 2005 (for harvesting of Atlantic surf clams and ocean quahogs)

- (1) 41°39' N. lat., 69°00' W. long.;
- (2) 41°39' N. lat., 71°00' W. long.;
- (3) 40°00' N. lat., 71°00' W. long.;
- (4) 40°00' N. lat., 69°00' W. long., and
- (5) then ending at the first point.

