



AUG 13 2010

Mr. Eric Schwaab
Assistant Administrator
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1315 East West Highway
Building 3/Room 14636
Silver Spring, Maryland 20910-3281

Dear Mr. Schwaab:

I am writing today to inform you that based on a review of the data described below, the Food and Drug Administration (FDA) has concluded that the conditions for reopening specified in our agreed upon reopening protocol have been met for finfish and shrimp in the area designated in the August 6, 2010, National Oceanic and Atmospheric Administration (NOAA) proposal (western Louisiana) and that such seafood should pose no food safety risk associated with contamination from the Deepwater Horizon explosion, fire, and oil spill.

FDA recommends that, prior to issuing any reopening order, NOAA verify that conditions in the area have not changed such that they would present a public health concern. FDA also recommends that NOAA continue to be vigilant for re-oiling, and that should re-oiling occur, appropriate steps, including reclosure if necessary, be taken to ensure the continued safety of seafood from the area.

Sensory evaluation of the 41 finfish and shrimp samples collected by NOAA for odors indicative of contamination was conducted the week of July 30, 2010. No samples demonstrated odors indicative of oil or dispersant contamination.

After sensory evaluation was completed on the NOAA samples, they were forwarded to your chemistry laboratory for polycyclic aromatic hydrocarbons (PAHs) analysis. Compositing of like species from like sample locations resulted in 14 separate samples for PAH analysis. All samples were analyzed using the standard NOAA PAH method. The chemical analyses were completed August 9, 2010. PAH levels in all samples are significantly below the levels of concern established in the reopening protocol, which was agreed upon by NOAA and FDA.

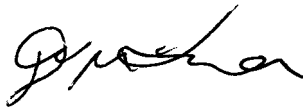
Based on the limited amount of shrimp samples collected in grids C1 – C4, as described in your memo of August 11, 2010, due to an ongoing hypoxic event, the FDA reviewed data from samples collected by the State of Louisiana for re-opening of adjoining state waters. Sensory

evaluation of the 36 finfish and shrimp samples collected by Louisiana for odors indicative of contamination was completed on August 6, 2010. No samples demonstrated odors indicative of oil or dispersant contamination. The results are included in the enclosed table.

After sensory evaluation of the Louisiana samples was completed, they were forwarded to a chemistry laboratory for polycyclic aromatic hydrocarbons (PAHs) analysis. Compositing of like species from like sample locations resulted in 22 separate samples for PAH analysis. All samples were analyzed using the LC-Fluorescence method. The chemical analyses were performed on August 10 - 11, 2010. PAH levels in all samples are significantly below the levels of concern established in the reopening protocol, which was agreed upon by Louisiana officials, NOAA, and FDA. The results are included in the enclosed table

I would like to express FDA's appreciation for the ongoing work by NOAA to ensure the safety of Gulf Coast seafood, and note that FDA remains committed to continuing support for these collaborative efforts.

Sincerely,



Donald W. Kraemer
Acting Deputy Director for Operations
Center for Food Safety
and Applied Nutrition

cc:

Identical letters to: see attached list

Identical letters to:

The Honorable Gary Locke
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The Honorable Jane Lubchenco, Ph.D.
Under Secretary of Commerce for Oceans and Atmosphere
and Administrator
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Ms. Monica Medina
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Mr. John Oliver
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