



DEPARTMENT OF HEALTH AND HUMAN SERVICE

Public Health Service

Food and Drug Administration  
College Park, MD 20740

September 1, 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 16, 2010, National Oceanic and Atmospheric Administration (NOAA) proposal (eastern Louisiana, Mississippi, Alabama, western Florida – Grids C13, 17, 21, 22 and 26) 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 123 finfish and shrimp samples collected by NOAA for odors indicative of contamination was conducted July 27 to August 11, 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 27 separate samples for PAH analysis. All samples were analyzed using the standard NOAA PAH method. The chemical analyses were completed by August 25, 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.

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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,

A handwritten signature in black ink, appearing to read "D. W. Kraemer".

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  
Secretary  
U.S. Department of Commerce  
14<sup>th</sup> & Constitution Avenue, NW  
Room 5854  
Washington, DC 20230

The Honorable Jane Lubchenco, Ph.D.  
Under Secretary of Commerce for Oceans and Atmosphere  
and Administrator  
National Oceanic and Atmospheric Administration  
U.S. Department of Commerce  
14<sup>th</sup> & Constitution Avenue, NW  
Room 7316/HCHB  
Washington, DC 20230

Ms. Monica Medina  
Principal Deputy Under Secretary  
National Oceanic and Atmospheric Administration  
U.S. Department of Commerce  
14<sup>th</sup> & Constitution Avenue, NW  
Washington, DC 20230

Mr. John Oliver  
Deputy Assistant Administration  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
U.S. Department of Commerce  
1315 East West Highway  
Building 3/Room 14743  
Silver Spring, Maryland 20910-3281

Dr. Steven A. Murawski  
Director of Scientific Programs  
Chief Scientific Advisor  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
U.S. Department of Commerce  
1315 East West Highway  
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