



SEP 17 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 in the area designated in the August 20, 2010, National Oceanic and Atmospheric Administration (NOAA) proposal (Gulf of Mexico areas B1-B6) 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 any reopening order, NOAA verify that conditions in the area have not changed such that they would present a public health concern. FDA also advises 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 93 finfish samples for odors indicative of contamination was conducted on various days during the week of August 16, 2010. No samples demonstrated odors indicative of oil or dispersant contamination. The results are included in the enclosed table.

After sensory evaluation, the samples were forwarded to a chemistry laboratory for polycyclic aromatic hydrocarbons (PAHs) analysis. Compositing of like species from like sample locations resulted in 18 separate samples for PAH analysis. All samples were analyzed using the standard NOAA PAH method. The chemical analyses were completed August 31, 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. 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,

A handwritten signature in black ink, appearing to read "D. Kraemer". The signature is fluid and cursive, written over a light-colored background.

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

Enclosures