



June 23, 2006

• James Balsiger, Ph.D.
Acting Deputy Assistant Administrator
for Regulatory Programs
National Marine Fisheries Services
1315 East West Highway
Silver Spring, Maryland 20910

Dear Dr. Balsiger:

On behalf of Michael O. Leavitt, Secretary of Health and Human Services, the Food and Drug Administration (FDA) is requesting that the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) extend the Paralytic Shellfish Poisoning (PSP) closure of north western Atlantic Ocean waters, described below, for an indefinite period of time. At this time, the FDA has insufficient analytical data to support the scheduled reopening on June 30.

FDA is requesting that the June 14, 2005, closure notice, scheduled to expire on June 30 be extended for an indefinite period of time. The extended closure shall apply to:

1. Whole and roe-on scallops in the area south of 43 degrees north latitude, west of 69 degrees west longitude, north of 40 degrees north latitude, and east of 71 degrees west longitude. Harvesting of scallops for onboard shucking of the adductor muscle only shall continue to be permitted in this area. Scallop adductor muscle does not concentrate PSP toxin.
2. All species of bivalve molluscan shellfish, except for scallop adductor muscles as described above, in the area south of 43 degrees north latitude, west of 69 degrees west longitude, north of 41 degrees 39 minutes north latitude, and east of 71 degrees west longitude.

FDA appreciates the support and cooperation provided by the NMFS in our joint efforts to protect public health.

Sincerely,

Andrew C. von Eschenbach, M.D.
Acting Commissioner of Food and Drugs