



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

November 18, 2008

-EXTENSION OF EMERGENCY PSP CLOSURE-

Dear Federal Permit Holder or Dealer:

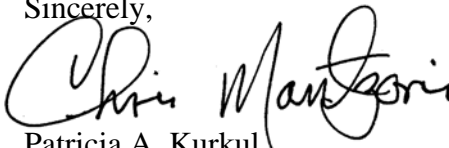
The U.S. Food and Drug Administration (FDA) has requested a termination of the emergency regulations of July 7, 2008, which implemented a revised temporary paralytic shellfish poisoning (PSP) closure (i.e., Temporary PSP Closure Area) due to the presence of high levels of the toxin that causes PSP. **NMFS recently published a notice, effective November 18, 2008, to terminate the current closure and reactivate the previous closure, implemented on January 1, 2008 and effective through December 31, 2008.** See chart of the closure area on the reverse side, and as described below.

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 revised 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,

for 
Patricia A. Kurkul

Regional Administrator

This small entity compliance guide complies with section 212 of the Small Business Regulatory Fairness Act of 1996.



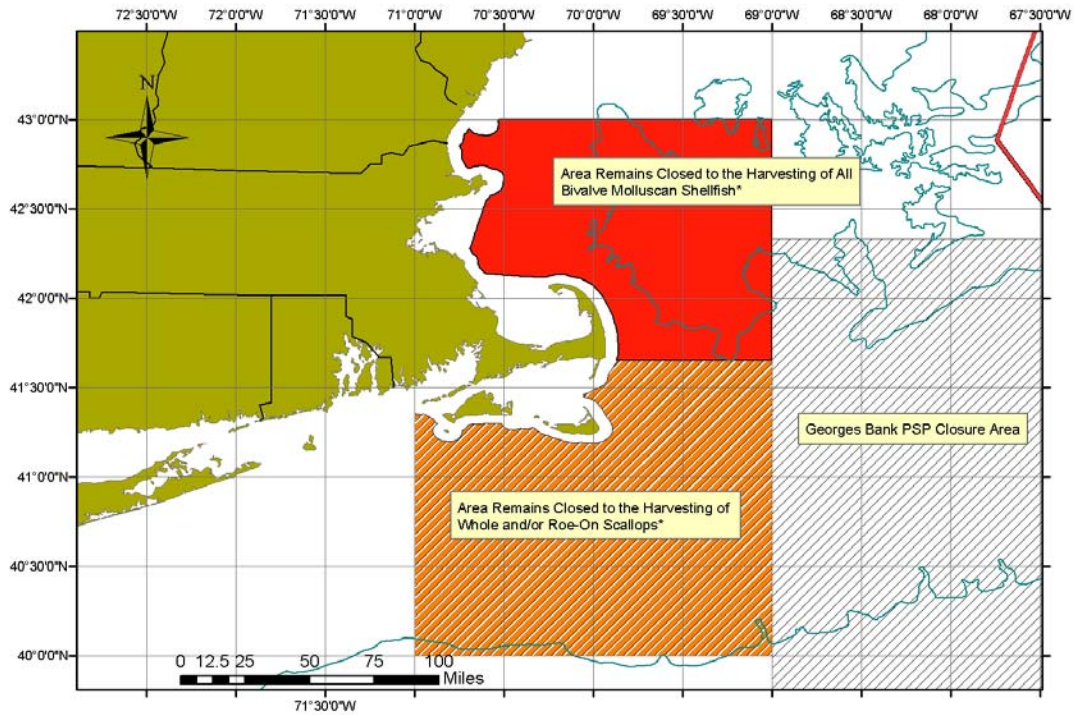
Coordinates for the Northern Temporary PSP Closure Area.

Point	Latitude	Longitude
1	43° 00' N	71° 00' W
2	43° 00' N	69° 00' W
3	41° 39' N	69° 00' W
4	41° 39' N	71° 00' W
5	43° 00' N	71° 00' W

Coordinates for the Southern Temporary PSP Closure Area

Point	Latitude	Longitude
1	41° 39' N	71° 00' W
2	41° 39' N	69° 00' W
3	40° 00' N	69° 00' W
4	40° 00' N	71° 00' W
5	41° 39' N	71° 00' W

**Continuation of the Emergency Closure of Federal Waters to the Harvest of Shellfish
Due to the Toxin that Causes Paralytic Shellfish Poisoning (PSP)**



*Exception allowed for scallop harvesting with onboard shucking of the adductor muscle only.