



NOV 12 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 October 26, 2010, National Oceanic and Atmospheric Administration (NOAA) proposal (southern boundary of current offshore closure – areas C14-15, C18, and C23-24) 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 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 237 finfish and shrimp samples for odors indicative of contamination was completed by the first week of November. 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 and Dioctyl Sodium Sulfosuccinate (DOSS) testing. Compositing of like species from like sample locations resulted in 19 separate finfish and nine separate shrimp samples for PAH analysis and for DOSS testing. All samples were analyzed using the standard NOAA PAH method and the new DOSS test method. The chemical analyses were completed by November 8, 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 and DOSS levels are significantly below the FDA Levels of Concern created for DOSS. 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 "Donald W. Kraemer". The signature is fluid and cursive, with a prominent initial "D".

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

Enclosures