



August 9, 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 July 30, 2010, National Oceanic and Atmospheric Administration (NOAA) proposal (Florida panhandle) 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 104 finfish samples for odors indicative of contamination was conducted on various days throughout July, 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 performed the weeks of July 19, and 26, 2010 and the week of August 2, 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,

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

Enclosures

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  
Building 3/Room 14659  
Silver Spring, Maryland 20910-3281