



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
Griffin
Commissioner

May 28, 2009

Boards of Selectmen and Mayor of: Essex, Ipswich, and Gloucester

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that Softshell Clams *Mya arenaria* and Razor Clams *Ensis directus* from the below-defined area **no longer contain Red Tide toxin (Paralytic Shellfish Poison-PSP)** from the phytoplankton *alexandrium* (*spp.*) in excess of established standards. **These areas remain closed to the harvest and taking of all other bivalve shellfish, including Blue Mussels, Surf Clams, Carnivorous Snails and Whole Sea Scallops with the exception of Sea Scallop Adductor Muscle.**

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00, the PSP closures for Softshell and Razor Clams on May 22, 2009 **will be rescinded at sunrise on May 29, 2009** in the below-defined areas. Softshell and Razor Clams in areas currently classified as APPROVED and in the "OPEN" status may be harvested on May 29, 2009 for direct human consumption subject to local rules and regulations and conditional classification status under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those areas classified as CONDITIONALLY APPROVED and in the "OPEN" status are subject to the classification conditions. **Harvesting all other bivalve shellfish, including Blue Mussels, Surf Clams, Carnivorous Snails and whole Sea Scallops with the exception of Sea Scallop Adductor Muscle from the below-defined area shall remain prohibited until the Division of Marine Fisheries determines that they no longer contain PSP toxin.**

**Status: Open to shellfish harvesting of Softshell and Razor Clams ONLY.
This area remains closed to the harvesting of all other shellfish.**

The waters, flats and tributaries of shellfish growing areas N7-Essex Bay and N9-Annisquam River in the towns of Essex, Ipswich, and the City of Gloucester.

Sincerely,

Paul J. Diodati
Director

cc: A. Gross, G. Santos, J. Tulik, G. Duncan, OLE
D. McKiernan, M. Hickey, J. Kennedy, T. O'Neil, DMF
WPC, DEP
FDA
DPH
Shellfish Constables of the above Cities and Towns