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October 4, 2023

Christopher M. Moore, Ph.D.
Executive Director
Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901

Re: U.S. Food & Drug Administration, September 29, 2023

Dear Mr. Moore,

Regarding the FDA's letter from September 29, 2023, about the Georges Bank PSP Closed Area's "controlled access" status: The letter mentions a change in the Guide and an eventual controlled access for shellstock. It also states that shellfish harvesters need a NOAA SIP contract with a marine biotoxin management plan.

The Mid-Atlantic Fishery Management Council's letter to Steven W. Bloodgood asked about the requirements for changing the PSP closed area on Georges Bank to a controlled status. The FDA's response doesn't answer this.

The 2019 NSSP Guide, updated in 2020, changed conditions for keeping areas in "closed status." The clam industry believes the current Guide, SIP contract, and agreements are sufficient to address PSP concerns. The FDA hasn't clarified the new provisions or their timing, only stating they'll be added this year.

The FDA holds the authority to define safety measures in the NOAA SIP contract and associated agreements to address PSP concerns. Please follow-up with the FDA and request what specific new provisions will be added to the Guide this year that cannot be addressed under the FDA's current authority.

Regards,

Thomas Dameron
Government Relations &
Fishery Science Liaison
Surfside Foods, LLC

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