



Paul J. Diodati  
Director

*Commonwealth of Massachusetts*  
**Division of Marine Fisheries**  
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November 16, 2007

Mr. Brian R. Hooker  
Fishery Policy Analyst  
NOAA National Marine Fisheries Service  
1 Blackburn Drive  
Gloucester, MA 01930

Dear Mr. Hooker:

This is to inform you that the Massachusetts Division of Marine Fisheries (*Marine Fisheries*) has agreed to conduct the mouse bioassay on samples of surf clams and ocean quahogs taken in accordance with the provisions of the *Protocol for Onboard Screening and Dockside Testing for PSP Toxins in Molluscan Shellfish in Federally Closed Waters (January 2007)* (Protocol) for the duration of the proposed pilot study.

It is our understanding that the National Marine Fisheries Service (NMFS) will issue an Exempted Fishing Permit to Truex Enterprises and Sea Watch International to harvest clams from closed federal waters in accordance with the terms and conditions of the Protocol and land in New Jersey. Clams will then be transported to the Sea Watch plant in Milford, Delaware for processing. Agents from the NMFS Office of Seafood Inspection will be responsible for collecting the samples and appropriate documentation at the Sea Watch plant and sending the samples and documentation to the *Marine Fisheries* laboratory in Gloucester, Massachusetts for PSP analysis using the mouse bioassay.

If you need additional information or assistance in coordination of activities, please contact J. Michael Hickey in our New Bedford office. His phone number is (508) 990-2860 ext. 122.

Sincerely,

Paul J. Diodati  
Director

Cc: J.M. Hickey, MA DMF  
Paul DiStefano, FDA  
Jack Pingree, DE DNREC  
Calliope Alexander, NJ DHSS  
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