



Paul J. Diodati
Director

Commonwealth of Massachusetts

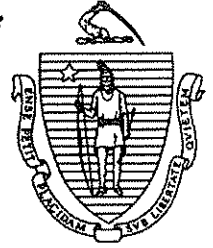
Division of Marine Fisheries

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Boston, Massachusetts 02114

(617)626-1520

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Deval Patrick
Governor

Richard K. Sullivan, Jr.
Secretary

Mary B. Griffin
Commissioner

August 30, 2013

Kingston Board of Selectmen
Town Hall
26 Evergreen St
Kingston, MA 02364

Plymouth Board of Selectmen
Town Hall
11 Lincoln St
Plymouth, MA 02360

Duxbury Board of Selectmen
Town Hall
878 Tremont St
Duxbury, MA 02332

Marshfield Board of Selectmen
Town Hall
870 Moraine St
Marshfield, MA 02050

Ladies and Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the below defined shellfish growing areas, Plymouth Harbor (CCB:42), Kingston Bay (CCB:43), Duxbury Bay (CCB:45), Bluefish River (CCB:46) and Back River (CCB:47) in the Towns of Plymouth, Kingston, Duxbury and Marshfield no longer meet the established criteria for the commercial harvest of oysters as a result of notification by the Department of Public Health that illnesses caused by the naturally occurring bacteria *Vibrio Parahaemolyticus* (VP) have occurred from consumption of oysters harvested from areas CCB:45 (Duxbury Bay) and CCB:43 (Kingston Bay). Since areas CCB: 42, 43, 45, 46 and 47 are contiguous and part of one hydrographic area, all these areas are included in the closure.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A, the below-defined areas have been placed in a "Closed" status to the commercial harvest of oysters, effective immediately (3:45 PM on August 30, 2013). Digging, harvesting or collecting and/or attempting to dig, harvest or collect oysters and the possession of oysters harvested from the below-defined areas for commercial purposes is prohibited until further notice.

STATUS: CLOSED TO COMMERCIAL OYSTER HARVEST

Plymouth Harbor CCB:42

"The waters, flats and all tributaries of the portion of Plymouth Harbor in the Town of Kingston, Duxbury and Plymouth, easterly a line drawn from the Kingston/Plymouth town boundary marker at Boundary Lane to the southern tip of Goose Point in the Town of Duxbury, southerly of a line drawn from the southern tip of Goose Point in the Town of Duxbury to the southern tip of Saquish Point in the Town of Plymouth, west of a line drawn from the southern tip of Saquish Point in the Town of Plymouth to the northernmost point on the tip of Long Beach in the Town of Plymouth, and from the northernmost point on the tip of Long Beach in the Town of Plymouth to Kingston/Plymouth town boundary marker at Boundary Lane."

(Over)

STATUS: CLOSED TO COMMERCIAL OYSTER HARVEST

Kingston Bay
CCB: 43

"The waters, flats and all tributaries of Kingston Bay in the Towns of Kingston and Duxbury, northeasterly of a line drawn from Goose Point in the Town of Duxbury to the Plymouth/Kingston Town Marker at Boundary Lane, and northeasterly of a line drawn across the mouth of the Jones River."

STATUS: CLOSED TO COMMERCIAL OYSTER HARVEST

Duxbury Bay
CCB: 45

"The waters, flats and all tributaries of Duxbury Bay in the Town of Duxbury and Plymouth, north of a line drawn from the southern tip of Goose Point in the Town of Duxbury to the southwest tip of Saquish Head in the Town of Plymouth; south of a line drawn across the mouths of the Bluefish River and Back River in the Town of Duxbury and west of a line drawn from the end of Duxbury Marine Pier to Bayside Point and easterly of a line drawn from Hardin Hill Road Landing to Eagle Nest Point and westerly of a line drawn across the Cove from the end of the O'Neil dock to the end of the Nichols dock on the opposite shore".

STATUS: CLOSED TO COMMERCIAL OYSTER HARVEST

Bluefish River
CCB: 46

"The waters, flats and all tributaries of the Bluefish River in the Town of Duxbury, northwesterly of a line drawn from Maxfield Point to Long Point."

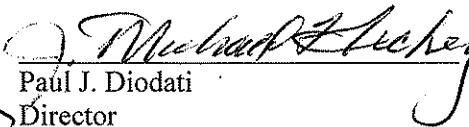
STATUS: CLOSED TO COMMERCIAL OYSTER HARVEST

Back River
CCB: 47

"The waters, flats and all tributaries of the Back River in the Town of Duxbury, north of a line drawn across the mouth of the river at the Powder Point Bridge."

Under authority of 322 CMR 7.01 (7) all permits issued there under are hereby conditioned to prohibit the taking, selling or possession of oysters harvested from the above defined areas for commercial purposes.

Sincerely,


Paul J. Diodati
Director

cc: A. Gross, L. Roberts, P. Moran, G. Duncan, OLE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
D. Carvalho, Kingston Shellfish Constable
C. Hunter, Plymouth Shellfish Constable
D. Beers, Duxbury Shellfish Constable
M. DiMeo, Marshfield Shellfish Constable



The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Food Protection Program

305 South Street, Jamaica Plain, MA 02130

DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

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www.mass.gov/dph

August 30, 2013

Paul J. Diodati, Director
MDFG Division of Marine Fisheries
251 Causeway St. Suite 400
Boston, MA 02114

Dear Mr. Diodati,

The purpose of this letter is to provide notification that the Massachusetts Department of Public Health (MDPH) has implicated shellfish in an illness outbreak involving two (2) or more persons not from the same household as described in Chapter II, Section @.01 A of the NSSP Guide for the Control of Molluscan Shellfish, 2011 revision.

MDPH has determined that an epidemiological association exists between *Vibrio parahaemolyticus* and the consumption of oysters from the following Massachusetts shellfish growing areas:

Growing Area Code	Area Name	Area Towns
CCB43	Kingston Bay	Duxbury, Kingston
CCB45	Duxbury Bay	Duxbury, Plymouth

If you have any questions regarding this letter, please feel free to contact me at 617-983-6754.

Sincerely,

Michael J. Moore
MDPH/BEH Food Protection Program

Cc: Suzanne Condon, Associate Commissioner, MDPH Bureau of Environmental Health



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Environmental Health
250 Washington Street, Boston, MA 02111

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CHERYL BARTLETT, RN
COMMISSIONER

**Massachusetts Oyster Recall Notice
August 30, 2013**

Areas covered by recall: Plymouth Harbor (CCB:42)
Kingston Bay (CCB:43)
Duxbury Bay (CCB:45)
Bluefish River (CCB:46)
Back River (CCB:47)

Product involved in recall: Oysters

Dates involved in recall: From July 22, 2013 to August 30, 2013 (inclusive)

Background: On August 30, 2013, the Massachusetts Department of Public Health (MDPH) issued a finding that two or more cases of *Vibrio parahaemolyticus* were linked to the consumption of raw oysters harvested from CCB:43 and CCB:45.

Since areas CCB:42, CCB:43, CCB:45, CCB:46, and CCB:47 are all contiguous and part of the same hydrographic area, all of these areas were closed to oyster harvesting by the Massachusetts Department of Fish and Game, Division of Marine Fisheries.

Oysters harvested from these areas from **July 22, 2013 to August 30, 2013** are to be recalled. Wholesale seafood dealers who distributed these implicated oysters should initiate recalls of the oysters from these areas immediately. Wholesale dealers with questions about the recall should contact Supervisor John Racioppi at (617)983-6748 or via email at john.racioppi@state.ma.us.

Shippers with oyster lots affected by this closure and recall are in the process of initiating recalls. The following information should be collected during the recall of implicated oysters:

- 1) Harvest location and harvest dates affected by this recall,
- 2) The names and contact information of consignees who received this product, and
- 3) Quantities of oysters that have been shipped from these areas.

Shippers should advise consignees that the product is not to be sold or shipped, unless advised otherwise by the Food Protection Program. As the recall proceeds, inform the Food Protection Program of the quantities of products returned or corrected by each consignee contacted and the quantity of products accounted for.

If recalled oysters are identified, the product should be placed on hold or under embargo, and stored in a manner that clearly identifies that the product should not be sold. Then notify the supplier and follow the recall instructions of the supplier.

Restaurants and retail establishments may have received product from a Massachusetts certified dealer or an ICSSL listed dealer. Not all dealers who may have shipped the affected product have been identified yet.

Michael J. Moore, Director
MDPH/BEH Food Protection Program