Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, Massachusetts 02114
(617)626-1520
fax (617)626-1509
June 20, 2013

Board of Selectmen
Town Hall
549 main Street
Chatham, MA 02633

Ladies and Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that Oyster Pond River (SC:49) and Oyster Pond (SC:50), in the Town of Chatham, do not meet the established criteria for a status of "OPEN TO SHELLFISHING" due to oysters from the area that were associated with illnesses.

Therefore, under authority of Massachusetts General Laws Chapter 130, sections 74A and 75, the status of the below defined areas have been changed to "CLOSED TO SHELLFISHING". Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below defined areas are prohibited.

Under authority of 322 CMR 7.01 (7) all permits issued there under are hereby conditioned to prohibit the taking, selling or possession of shellfish from the below defined areas.

CLASSIFICATION: APPROVED
Status: Closed To Shellfishing

SC:49
Oyster Pond River

"The waters, flats and all tributaries of the Oyster Pond River, in the Town of Chatham, west of a line drawn across the southern mouth of Oyster Pond River and south of a line drawn across the mouth of Oyster Pond."
CLASSIFICATION: APPROVED
Status: Closed To Shellfishing

SC:50
Oyster Pond

"The waters, flats and all tributaries of Oyster Pond, in the Town of Chatham, west of a line drawn northwest for a distance of approximately 245 meters (800 feet) from Long Point to the orange marker at the foot of Kelly Lane and east of a line drawn across the mouth of Oyster Pond."

CLASSIFICATION: CONDITIONALLY APPROVED
Status: Closed To Shellfishing

SC:50.1
Oyster Pond

"The waters and flats and all tributaries thereto of Oyster Pond in the Town of Chatham, east of a line drawn northwest for a distance of approximately 245 meters [800 feet] from Long Point to the orange marker at the foot of Kelly Lane excluding the 100 foot radius closure around the stormwater pipe at Oyster Furlong Rd. (SC:50.3) and the 100 foot radius closure around the stormwater pipe at Oyster Pond Beach (SC:50.4)."

Sincerely,

[Signature]
Paul J. Diodati,
Director

cc: A. Gross, L. Roberts, E. Burns, DELE
    D. McKiernan, M. Hickey, DMF
    WPC. DEP
    DPH
    FDA
    R. Gagne, Chatham Shellfish Constable
July 11, 2013

Ken Moore, Executive Director
Interstate Shellfish Sanitation Conference
209 Dawson Road, Suite 2
Columbia, SC 29223

Dear Mr. Moore,

The purpose of this letter is to provide notification to ISSC as required by Chapter II, Section @.01 C (2) of the NSSP Guide for the Control of Molluscan Shellfish, 2011 revision.

In late June of 2013, the Massachusetts Department of Public Health (MDPH) investigated three Norovirus outbreaks associated with three different restaurants on Cape Cod. According to case interviews and traceback information, the common food at all three events was raw oysters harvested on 6/11/13 and 6/13/13 from MA harvest area SC49 (Oyster Pond River in Chatham).

When these findings were forwarded to the MA Division of Marine Fisheries (MDMF) on 6/20/13, MDMF closed two contiguous shellfish harvest areas in Chatham: SC49 (Oyster Pond River) and SC50 (Oyster Pond).

Traceback records collected by MDPH show that 3,500 of the 26,240 oysters harvested from SC49 between 6/11/13 and 6/20/13 were shipped to the out-of-state establishments listed is Table 1. The information in Table 1 illustrates that of these 3,500 oysters shipped out-of-state, 1,200 were destroyed and 2,300 were consumed prior to the initiation of the traceback.
Table 1 – Oysters Shipped Out-of-State From SC49

<table>
<thead>
<tr>
<th>#</th>
<th>State</th>
<th>Establishment</th>
<th>Consumed</th>
<th></th>
<th>Destroyed</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Shipped</td>
<td>Count</td>
<td>Shipped</td>
<td>Count</td>
</tr>
<tr>
<td>1</td>
<td>CT</td>
<td>City Fish Wethersfield</td>
<td>6/14</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>CT</td>
<td>Summer Shack Mohegan Sun</td>
<td>6/17</td>
<td>200</td>
<td>6/19</td>
<td>200</td>
</tr>
<tr>
<td>3</td>
<td>GE</td>
<td>Halpern’s Steak and Seafood Atlanta</td>
<td>6/14</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>IL</td>
<td>Shaws Crabhouse Downtown Operation</td>
<td>6/12</td>
<td>200</td>
<td>6/19</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chicago</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>MI</td>
<td>Julien Restaurant Kansas City</td>
<td>6/19</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>NY</td>
<td>Blue Ribbon Seafood New York</td>
<td>6/11</td>
<td>1,500</td>
<td>6/19</td>
<td>400</td>
</tr>
<tr>
<td>7</td>
<td>RI</td>
<td>Quality Seafood Johnston</td>
<td>6/14</td>
<td>100</td>
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<tr>
<td>8</td>
<td>TX</td>
<td>A.M. Wholesale Fish Co. Dallas</td>
<td>6/14</td>
<td>100</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total |

2,300 | 1,200

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

Sincerely,

Michael J. Moore, RS, Director
MDPH/BEH Food Protection Program
phone: 617-983-6754 | fax: 617-983-6770
michael.moore@state.ma.us