



FDA Backs Off Raw Gulf Oyster Ban

In mid-November 2009, the Food and Drug Administration (FDA) issued the following statement to justify its earlier announcement of an impending ban on the sale of raw (not post-harvest treated) Gulf of Mexico oysters during the summer months, and to announce that the ban would be reconsidered, in view of the input received. - ed

In late October, the FDA announced its intent to change, by summer 2011, its policy regarding the post-harvest processing of raw Gulf Coast oysters harvested in the warmer months. The intent of this change in policy, which would affect about 25 percent of the total annual harvest, would be to substantially reduce the number of Americans who suffer severe and painful illness and death from the *Vibrio vulnificus* bacteria. The FDA's announced change in policy was modeled on a successful California initiative that was implemented in 2003.



Photo credit Louisiana Sea Grant

As a public health agency, the FDA is committed to identifying reasonable and workable approaches to reduce unnecessary suffering and death from preventable causes. The FDA staff work every day with state and local counterparts around the country to stop outbreaks of all types of infectious disease. Illnesses from bacteria like *Vibrio vulnificus* are particularly important to prevent because they can cause loss of skin, kidney failure, amputations, excruciating pain and death.

Since making its initial announcement, the FDA has heard from Gulf Coast oyster harvesters, state officials and elected representatives from across the region about the feasibility of implementing post-harvest processing or other equivalent controls by the summer of 2011. These are legitimate concerns.

It is clear to the FDA from our discussions to date that there is a need to further examine both the process and timing for large and small oyster harvesters to gain access to processing facilities or equivalent controls in order to address this important public health goal. Therefore, before proceeding, we will conduct an independent study to assess how post-harvest processing or other equivalent controls can be feasibly implemented in the Gulf Coast in the fastest, safest and most economical way.

While this study is ongoing, the FDA will continue to reach out to state authorities and the Gulf Coast industry to discuss their concerns about the agency's policy and measures the industry is pursuing to make oysters safer. The FDA is committed to assisting local farmers in the implementation of post-harvest processing through all possible means.

The agency looks forward to working with Gulf Coast officials and industry to accomplish the goal of protecting consumers from *Vibrio vulnificus* in a manner that is feasible and minimizes impacts on the oyster industry.

Some actions that the FDA will undertake over the next weeks and months include:

1. Continuing to discuss future collaboration with the Interstate Shellfish Sanitation Conference to address *Vibrio vulnificus* in the region, including discussing the scope of needed studies, and meeting with the board in March 2010.
2. Working in conjunction with the National Marine Fisheries Service, the FDA will offer technical assistance to facilitate implementation of post-harvest processing or equally effective alternatives, including:
 - a. Validation of processing parameters that can be applied to post-harvest processes to achieve non-detectable levels of *Vibrio vulnificus*, while also preserving acceptable taste and texture, and ensuring that this information is in the public domain so that all processors can use it.
 - b. Studying alternatives to post-harvest processing, including off-shore relaying in which oysters are harvested and moved to salty waters where the high salinity kills *Vibrio vulnificus*.
 - c. Providing technical assistance to firms in development of their post-harvest processing processes and HACCP plans.
3. The FDA will work with other federal agencies, such as the USDA and the National Oceanic and Atmospheric Administration in the Department of Commerce, to review what types of grants and other forms of economic assistance may be available to support establishment of processing cooperatives or other mechanisms to ensure widespread access to post-harvest processing facilities.
4. As USTR and the oyster industry work to foster wider access to international markets that are now closed because of concerns about *Vibrio vulnificus*, FDA's new approach should provide public health and science data to support the safety of these products for human consumption in the US and abroad.

NOAA Closes South Atlantic Red Snapper Fishery

On Dec. 3, NOAA's Fisheries Service announced an interim rule that will prohibit commercial and recreational fishing for red snapper in federal waters off North Carolina, South Carolina, Georgia and the Atlantic coast of Florida.

The six-month rule becomes effective on Jan. 4. It can be extended an additional six months if necessary. The South Atlantic Fishery Management Council requested the fisheries service implement this interim rule while the council explores long-term measures to address the critical condition of red snapper.

The most recent scientific assessment shows too many red snapper are being removed from the population too quickly, which indicates a need for protection under the Magnuson-Stevens Fishery Conservation and Management Act. Most of the remaining population consists of smaller, younger fish, that produce fewer eggs than older fish.

“The Magnuson-Stevens Act requires us to manage fish populations so they grow to a size that can sustain the largest average catch possible for the long term,” said Roy Crabtree, southeast regional administrator for NOAA’s Fisheries Service. “Unfortunately, the red snapper population has not been able to reach that size; therefore, closing the fishery is the first step toward protecting this species, rebuilding the stock and ensuring fishing for generations to come.”

The council is expected to recommend long-term measures to the fisheries service sometime in mid-2010. NOAA’s Fisheries Service will provide additional public comment periods before implementing final long-term management measures.

For more information on South Atlantic red snapper, visit <http://sero.nmfs.noaa.gov> or www.safmc.net/.

Commercial Red Snapper Fishing Quota Program Rules Change Jan. 1

On Aug. 31, 2009, NOAA Fisheries Service published a rule in the *Federal Register* establishing a grouper and tilefish IFQ program for commercial fishermen in the Gulf of Mexico. This rule also made changes to the red snapper IFQ program to align that program with the grouper and tilefish IFQ program. On Jan. 1, 2010, both IFQ programs will be merged into one online IFQ program with an updated format. Participants in the red snapper IFQ program may wish to attend a workshop to learn about this new format.

Currently, a red snapper IFQ participant can enter any location when making a notification of landing red snapper, and approval is only needed to place the location on the VMS and online drop-down menus. Beginning Jan. 1, 2010, landing locations must be preapproved by NOAA Fisheries Service Office for Law Enforcement for both the red snapper and grouper/tilefish IFQ programs. Proposed landing locations can be submitted via the IFQ Web site or by calling IFQ customer service at any time. However, new landing locations will be approved only at the end of each calendar-year quarter. To have a landing location approved by the end of the calendar-year quarter, it must be submitted at least 45 days before the end of the calendar-year quarter.

Pre-approved landing locations must be publicly accessible by land and water and have a street address. If a particular landing location has no street address on record, global positioning system

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(GPS) coordinates for an identifiable geographic location must be provided. Other criteria may also be used when approving locations.

An IFQ vessel account will be required for a person aboard a vessel to land red snapper, groupers or tilefishes. A person who has established an IFQ account online will establish a vessel account through that IFQ account for each vessel. Only one vessel account can be established per vessel, but multiple vessel accounts can be established under each IFQ account. The requirement for vessel accounts eliminates the need for IFQ vessel endorsements; therefore the vessel endorsement requirement has been eliminated from the red snapper IFQ program.

Before a landing notification for the vessel is submitted, the vessel account associated with that vessel must have enough allocation for the fish on board. To improve enforceability of the IFQ program, the estimated pounds (gutted weight) of red snapper on board must be included in the landing notification.

Currently, share transfers require submission of a paper transaction. Starting Jan. 1, 2010, share transfers must be accomplished online via the IFQ Web site. Approval will be required from both the transferor and transferee. If the information from the transferor is accepted, the online system will send an electronic message of the pending transfer to the transferee. The transferee will approve the share transfer by electronic signature. If the transferee approves the share transfer, the online system would send a transfer approval code to both the transferor and transferee confirming the transaction.

Starting Jan. 1, 2010, if a discrepancy regarding a landing transaction report is discovered after approval, the dealer or vessel account holder (or his or her authorized agent) can initiate a landing transaction correction form to correct the landing transaction. This form will be available via the IFQ Web site. Both parties will validate the landing correction form by entering their respective PINs. The dealer will then print out the form, both parties will sign it, and the form will be mailed to NOAA Fisheries Service. The form must be received by NOAA Fisheries Service no later than 15 days after the date of the initial landing transaction.

Two items will be eliminated to ease the administrative burden associated with dealer requirements: 1) The annual ex-vessel value report because the information in the report is readily available on the IFQ Web site, 2) the notice of annulment sent on or about the 61st day after the end of each calendar-year quarter for a dealer whose cost recovery fee payment remains delinquent. This notice did not accompany any new action on the part of NOAA Fisheries Service to curtail the dealer's activities, and so is unnecessary.

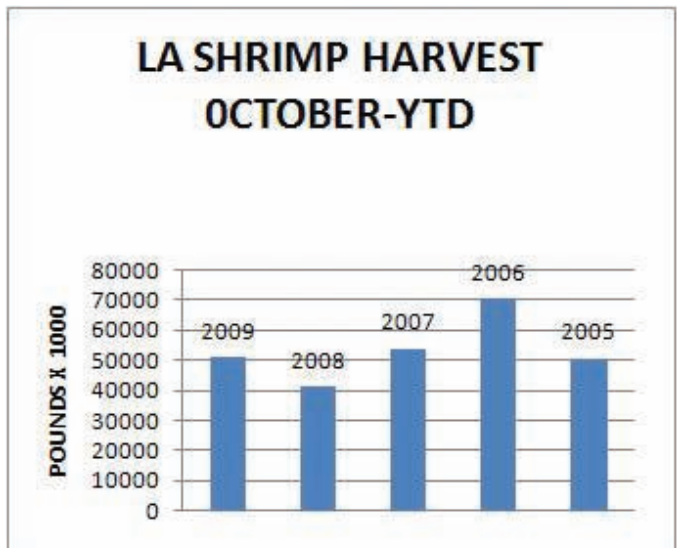
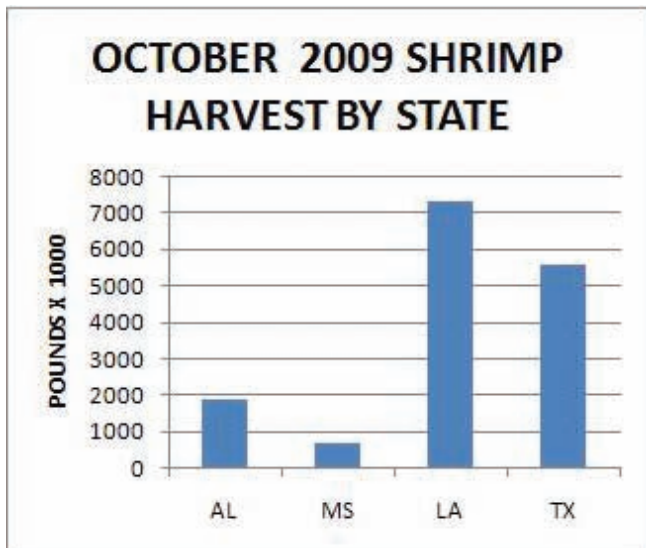
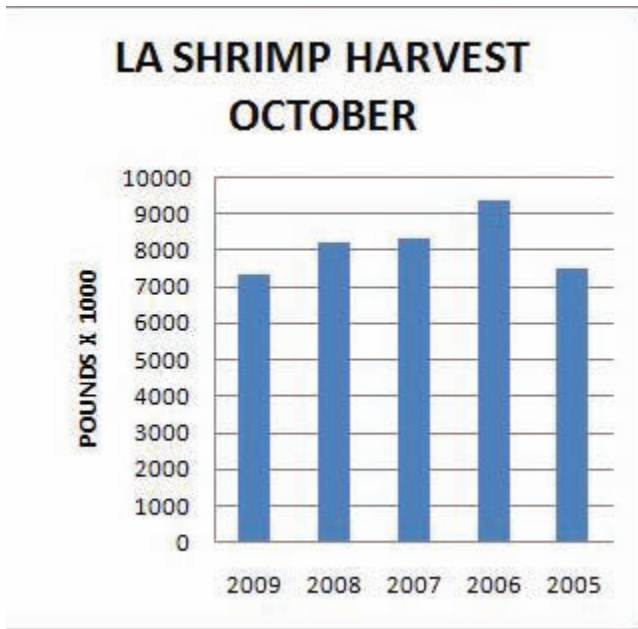
This bulletin provides only a summary of the information regarding the existing regulations. Any discrepancies between this bulletin and the regulations as published in the *Federal Register* will be resolved in favor of the *Federal Register*. For more information contact SERO at: (866) 425-7627, FAX (727) 824-5308 SER-IFQ.Support@noaa.gov

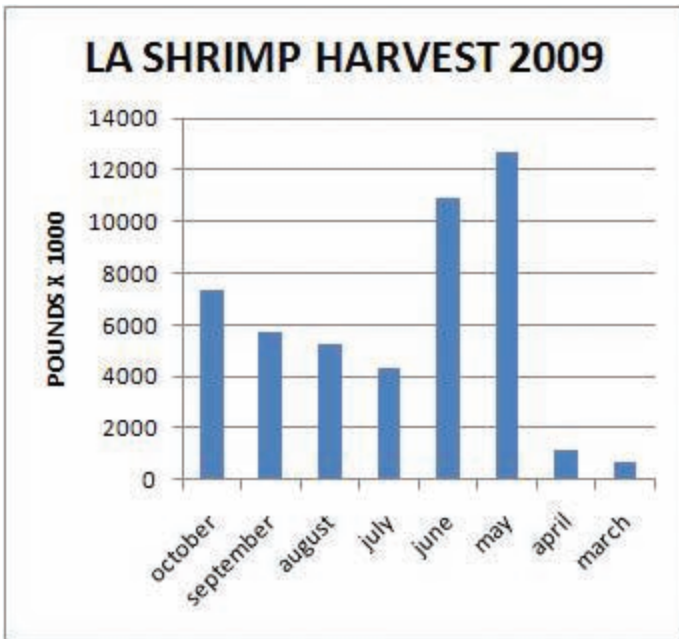
Louisiana Shrimp Watch

Louisiana specific data portrayed in the graphics are selected from preliminary data posted by NOAA on their Web site. All data portrayed are subject to final revision and approval by NOAA. Shrimp landings are ex-vessel prices, inclusive of all species harvested. Missing, inadequate or withheld reports are portrayed as 'zero' in these graphics. Price graphics reflect central Gulf states only (Texas and Florida are reported independently). For more information, please refer to:

www.st.nmfs.noaa.gov/st1/market_news/index.html

- Rusty Gaudé





Underwater Obstructions

In accordance with the provisions of R.S. 56:700.1 et. seq., notice is given that seven claims in the amount of \$31,295.89 were received for payment during the period Oct. 1, 2009 – Oct. 31, 2009.

There were seven claims paid and zero claims denied.

Latitude/Longitude coordinates of reported underwater obstructions are:

29 05.370	90 54.330	TERREBONNE
29 11.960	89 59.942	JEFFERSON
29 18.682	89 50.152	JEFFERSON
29 24.353	90 03.215	LAFOURCHE
29 27.945	90 06.036	JEFFERSON
29 51.111	89 40.100	ST. BERNARD
30 01.219	89 32.504	ST. BERNARD

A list of claimants and amounts paid can be obtained from Gwendolyn Thomas, administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or call (225)342-0122.

THE GUMBO POT

Oyster Dressing

Courtesy the Mailhes family (Thanks Ken Rust!).

Turkey liver and heart minced
½ cup butter
2 large minced onion
½ bunch chopped green onion
1 bay leaf
½ cup celery minced
3 cloves garlic
4 teaspoon parsley
3 dozen small oysters cut in half
1 loaf French bread
2 tablespoon salt
2 eggs lightly beaten
1 teaspoon thyme

Brown liver and heart in margarine, add onion celery bay leaf and thyme. Sauté. Add oyster, garlic, and parsley and sauté until water is drawn from oyster. Remove bay leaf. Soak bread in water, squeeze and break up into pieces. Stir in and cook stove top for 15 minutes. Add salt pepper and eggs. Bake in a greased pan at 350.



For more information, contact your local extension agent:



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