

No. 30297

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**UNITED STATES OF AMERICA  
and  
MEXICO**

**Memorandum of Understanding to control the sanitary quality of fresh or fresh-frozen bivalve mollusca destined for exportation to the United States of America. Signed at Washington on 15 October 1981**

*Authentic texts: English and Spanish.*

*Registered by the United States of America on 28 September 1993.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
MEXIQUE**

**Mémorandum d'accord sur le contrôle sanitaire des mollusques bivalves frais ou congelés destinés à l'exportation vers les États-Unis d'Amérique. Signé à Washington le 15 octobre 1981**

*Textes authentiques : anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 28 septembre 1993.*

MEMORANDUM<sup>1</sup> OF UNDERSTANDING TO CONTROL THE SANITARY QUALITY OF FRESH OR FRESH-FROZEN BIVALVE MOLLUSCA DESTINED FOR EXPORTATION TO THE UNITED STATES OF AMERICA BETWEEN THE FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES OF AMERICA AND THE SECRETARIAT OF HEALTH AND WELFARE, UNITED STATES OF MEXICO

I. PURPOSE

The Secretariat of Health and Welfare of the United States of Mexico that hereafter will be designated by the initials SSA and the Food and Drug Administration of the Department of Health and Human Services of the United States of America that hereafter will be designated by the initials FDA affirm by this document their intention to cooperate in assuring that fresh and fresh frozen oysters, clams, and mussels exported to the United States of America are safe, wholesome, and have been harvested, transported, processed, and labeled in accordance with the provisions of the Mexican Regulations for the Sanitary Control of Seafoods, the Mexican Bivalve Mollusca Sanitation Program (PMSMB), the National Shellfish Sanitation Program (NSSP), and requirements of the Federal Food, Drug, and Cosmetic Act of the United States of America.

II. DEFINITIONS AND RESPONSIBILITIES

A. Terms

For the purposes of this Memorandum, both parties agree to the following definitions:

1. Shellfish. All edible species of molluscan bivalves except scallop species from the family Pectinidae.
2. Lot. Means a collection of primary containers or units of the same size, type, and style, produced under conditions as nearly uniform as possible, designated by a common container code or marking, and in any event, no more than a day's production.
3. Marine biotoxins. Toxins produced by marine dinoflagellates such as Gonyaulax catenella, Gonyaulax tamarensis, and Gymnodinium breve and concentrated by shellfish during the feeding process.
4. Central file. The location where shellfish control program information, data, and reports are stored and maintained.

B. SSA Responsibilities

SSA agrees to:

1. Promulgate and enforce sanitation laws and regulations governing the growing, harvesting, processing, and shipment of shellfish to the United States.

<sup>1</sup> Came into force on 15 October 1981 by signature, in accordance with part III.