



National Marine Fisheries Service (NMFS) Announces Regulations for International Trade of Swordfish and Tuna

Where can I find the regulations? The regulations were published in the *Federal Register* on November 19, 2004 (69 FR 67268) and can be accessed on the following websites: <http://www.gpoaccess.gov/fr/index.html> or http://www.nmfs.noaa.gov/sfa/hms/Trade_Rule/InternationalTradePermit_FRNotice_Nov2004.pdf. A brief summary of the key provisions is given below. Please see the full regulatory text for a complete review of the requirements.

When do the regulations go into effect? Permit and reporting requirements take effect on July 1, 2005.

What do the regulations require? Dealers who import, export, or re-export fresh or frozen bluefin tuna (BFT), southern bluefin tuna (SBFT), swordfish (SWO), and/or frozen bigeye tuna (BET) (does NOT include fresh BET) regardless of ocean area of origin, must comply with the following permitting and reporting requirements:

- hold a valid Highly Migratory Species International Trade Permit;
- complete and submit statistical documents or statistical document/re-export certificate sets for each shipment of the named species;
- complete and submit summary reports of trade activity for the named species;
- comply with all applicable record-keeping and reporting requirements.

Who is affected? Dealers who import, export or re-export BFT, SBFT, SWO, or frozen BET are affected by these regulations.

What is the purpose of the regulations? The purpose of these regulations is to help track the international trade of highly migratory species, thus combating illegal, unreported and unregulated fishing activities, improving conservation and management measures, and enhancing the scientific evaluation of these stocks.

How do I get an HMS International Trade Permit? NMFS will announce the procedures for obtaining a permit sometime in June 2005. See below for your local contact.

How much will a permit cost? NMFS is in the process of determining the exact cost of the permit. Previously, the cost was estimated at \$100 per permit.

What are the reporting requirements? Each import, export, and re-export of the named species must be accompanied by a statistical document (and re-export certificate when applicable) that has been validated by an approved authority, and the original (imports) or a copy (exports) must be provided to NMFS. Summary reports must be submitted at biweekly intervals, and copies of statistical documents, re-export certificates, and summary reports must be maintained for a specified time period.

How do I obtain reporting documents? Reporting documents will be distributed to dealers when they obtain an HMS International Trade Permit.

How will the new regulations impact NMFS' current swordfish import monitoring program and bluefin tuna statistical document program? The swordfish import monitoring program will be fully replaced by these regulations. The bluefin tuna statistical document program will remain the same with the following exceptions: 1) bluefin tuna dealers will now be required to obtain the HMS ITP for international trade of bluefin tuna and the Atlantic Tunas Dealer Permit will only be required for dealers who domestically buy tuna (from a permitted vessel); and 2) a bluefin tuna re-export certificate will now be required for exports of bluefin tuna that were previously imported into the United States.

Exemptions: Trade of fresh BET is not covered by these regulations. BET caught by purse seiners and pole and line vessels and destined primarily for canneries in the United States, including Puerto Rico and the U.S. Pacific coast and the western and central Pacific Islands (American Samoa, Guam, Northern Mariana Islands) is exempt from these regulations.

Further Information: For further information, contact: Dianne Stephan (Atlantic coast or other), 978-281-9397; Walter Ikehara (Western Pacific), 808-973-2935; Lori Robinson (Gulf coast), 228-769-8964; or Patricia J. Donley (West coast), 562-980-4033.