



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

May 15, 2007

SMALL ENTITY COMPLIANCE GUIDE

Atlantic Hagfish Information Collection Measures

Dear Federal Seafood Dealer:

On April 23, 2007, NOAA's National Marine Fisheries Service (NMFS) published a final rule in the Federal Register implementing new dealer reporting requirements to improve the quantity and quality of information on the fishery for Atlantic hagfish (*Myxine glutinosa*). This information collection program was adopted at the request of the New England Fishery Management Council and the data collected may be used to determine the necessity of future management measures for hagfish under a fishery management plan.

The following dealer reporting requirements will be effective May 23, 2007:

- All seafood dealers/processors that purchase hagfish caught in or from the Exclusive Economic Zone must be issued a Federal dealer permit. Current federally permitted dealers may add hagfish to their existing permits, and new dealers may become permitted, by completing the enclosed application and returning it to the Northeast Regional Office.
- As a condition of Federal dealer permits issued under 50 CFR 648, dealers must submit weekly electronic reports containing the required trip-level information for all purchases from fishing vessels. For more information on dealer reporting, please call the dealer electronic reporting help desk at 978-281-9212 or contact your local NMFS Field Office: <http://www.nero.noaa.gov/ro/fso/portoff.pdf>.
- Hagfish dealers and processors are also required to complete all sections of the Annual Processed Products Report.

This letter only summarizes some of the new regulatory provisions that pertain to dealer permits. A copy of the regulations can be obtained through a link to the Office of the Federal Register at NMFS's Northeast Regional Office website: <http://www.nero.noaa.gov>.

Sincerely,

Patricia A. Kurkul
Regional Administrator

This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.





United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Region
One Blackburn Drive
Gloucester, MA 01930

Federal Northeast Seafood Dealer Atlantic Hagfish Dealer Permit Application

SECTION 1 - DEALER INFORMATION

Southeast Dealer # (if available) _____

Company name: _____

Owner's Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax Number: _____

If regulated species are purchased or received for commercial purposes at more than one place of business, each address must be listed. List those additional addresses on the back of this form in Section 1A.

SECTION 2 - FISHERIES

Select the fisheries desired by placing an (X) in the boxes provided.

Atlantic Hagfish

Section 3 – APPLICATION CHECKLIST & OWNER'S SIGNATURE

Please include the applicable forms below with your signed and dated application

_____ **Corporations, LLCs, Partnerships:** signed and dated list of current owners/officers/partners and their addresses

Your application will be returned if it does not contain the proper documents listed above and it is not signed and dated

I affirm, subject to the penalties provided in 18 USC 1001, that all information I have given in obtaining this permit is true and correct.

Print Name: _____

Signature: _____ Date: _____

SECTION 1A - ADDITIONAL DEALER INFORMATION. If regulated species are purchased or received for commercial purposes at more than one place of business, each address must be listed below.

Company Address		
Street:		
City:	State:	Zip:
Telephone:		

Company Address		
Street:		
City:	State:	Zip:
Telephone:		

Company Address		
Street:		
City:	State:	Zip:
Telephone:		

Company Address		
Street:		
City:	State:	Zip:
Telephone:		

For further information, call Northeast Permits Operations at (978) 281-9370

The information requested on this form is not confidential and will be available to the general public upon request.

The Paperwork Reduction Act requires potential respondents for a dealer/processor permit be notified of certain information regarding their rights and the burden associated with applying for a Federal dealer/processor permit. One of the regulatory steps taken by the National Marine Fisheries Service (NMFS) to carry out conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to purchase, or otherwise receive for transport, species harvested by the owner or operator of a fishing vessel issued a Federal fisheries permit for these species. Section 303(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance.

The purpose and use of permits is to: (1) Register fish dealers and processors; (2) list the characteristics of dealer/processor operations; (3) exercise influence over compliance (e.g. withhold issuance pending collection of unpaid penalties); (4) provide a mailing list for the dissemination of important information to the industry; (5) provide a universe for data collection samples; and (6) obtain first purchase information on landings to evaluate the biological, economic and social implications of management measures.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, One Blackburn Drive, Gloucester, MA 01930-2298.



NATIONAL MARINE FISHERIES SERVICE
Northeast Regional Office / Fisheries Statistics Office



Application Instructions
Federal Hagfish Dealer Permit

Mail the completed application package to: National Marine Fisheries Service (NOAA Fisheries Service), Northeast Permits Operations, One Blackburn Drive, Gloucester, MA 01930-2298. **Note:** There is a 30-day processing period for all application packages. This 30-day processing period begins when a **correct and complete** application package is received in the NMFS Northeast (NE) Permits Operations Office. Failure to provide the required information will delay processing of your dealer permit.

For further information, call Northeast Permits Operations at (978) 281-9370

➤ **Section 1 - Dealer Information**

If you already have a NE dealer permit, and wish to receive an Atlantic hagfish dealer permit complete and return the enclosed application.

If you are a new seafood dealer and only wish to receive an Atlantic hagfish dealer permit complete and return the enclosed application. If you wish to receive a dealer permit for additional species, contact Northeast Permits Operations for an initial NE dealer permit application.

Before submitting your application, review the dealer information placed in Section 1 to ensure it is correct. Make any corrections on the lines provided. It is important to include your Southeast Dealer Permit Number in Section 1 if you have been issued a dealer permit by the Southeast Region of NOAA Fisheries Service.

➤ **Section 1A - Additional Dealer Information**

You must provide the address of each place of business where you purchase or receive the regulated species for commercial purposes.

If regulated species are purchased or received for commercial purposes at more than one place of business, each address must be listed on the application. Space is available on the back of the dealer permit form for the required listing of additional addresses.

➤ **Section 2 - Selected Fisheries**

Place an 'X' next to each of the fisheries for which you are requesting a Federal Fisheries Dealer Permit. Please note: For this initial hagfish dealer permit application, Atlantic hagfish is the only species listed.

➤ **Section 3 – Applicant's Signature**

Before mailing, carefully review the application form for accuracy and completeness. Sign and date the application in Section 3 and return it to the address listed above.

Corporations and Partnership Information

Corporations

All dealer corporations must submit **with their initial application** a copy of the certificate of incorporation, showing officers and shareholders owning 25% or more of the shares of the corporation. In addition, **each year** the corporation must submit current information listing all current officers, along with their addresses, and shareholders owning 25% or more of the shares of the corporation, along with their addresses.

Partnerships

If your business is a partnership, you must submit a copy of the partnership agreement **with your initial application**. In addition, **each year** the partnership must submit the names and addresses of all current partners.

Sole proprietorships

If your business is a sole proprietorship, you must submit, **with your initial application**, a statement in writing that you are a sole proprietorship.

Failure to provide this information will delay processing of your dealer permit.

Dealer Reporting

An application is complete when all requested forms, information, and documentation have been received, and the applicant has submitted all applicable reports specified in the Federal regulations including dealer electronic weighout reports and processed products reports [50 CFR 648.7 and § 635.5]. All dealers must submit detailed purchase reports electronically, with the exception of dealers holding only a federal Northeast dealer permit for American lobster and/or Atlantic tunas. Atlantic tuna dealers who purchase or receive bluefin tuna have separate reporting requirements. Dealers who purchase Atlantic hagfish will also have separate reporting requirements in accordance with the information collection pilot program requirements. Processors who have processor or dealer permits must complete and submit to NOAA Fisheries Service an annual processed products report. Atlantic hagfish processors will be required to report their processing activities for the length of the pilot program.

Electronic dealer reports must contain all species, including, but not limited to, all Northeast managed species, as well as all non-bluefin tunas, sharks, swordfish and Atlantic hagfish. Failure to submit the reports required under either § 648.7 or § 635.5 may bar issuance of any Northeast dealer permit (except for American lobster). In addition, failure to report in an accurate and timely fashion may result in enforcement action being taken. If you have any questions concerning your compliance with the reporting regulations for Northeast managed species [§ 648.7], please contact your local NMFS Field Office (list enclosed). Questions concerning reporting for bluefin tuna [§ 635.5], should be directed to the Highly Migratory Species Office at (978) 281-9140.