



Proposed Regulations for Trade of Swordfish and Tuna

What is the proposed rule? NOAA Fisheries proposes regulations that would require dealers who import, export, or re-export fresh or frozen bluefin tuna (BFT), southern bluefin tuna (SBFT), bigeye tuna (BET) and/or swordfish (SWO), regardless of ocean area of origin, to comply with following:

- hold a valid Highly Migratory Species International Trade Permit;
- complete and submit required statistical documents or re-export certificates 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, BET or SWO are affected by this rule.

What is the purpose of the proposed rule? The purpose of this rule is to help track the international trade of highly migratory species, combat illegal, unreported and unregulated fishing activities, improve conservation and management measures and enhance the scientific evaluation of these stocks.

Exemption: 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) would be exempt from the statistical document and re-export certificate requirements under this proposed rule. NOAA Fisheries is considering a delayed implementation of the proposed statistical document program for fresh BET.

Public Comment: Comments on the proposed rule must be received no later than 5 p.m. on May 10, 2004. Written comments should be mailed to Dianne Stephan, Highly Migratory Species Management Division, NMFS, One Blackburn Drive, Gloucester, MA, 01930. Comments may be submitted by e-mail to the following address: NeroHMSTrade@noaa.gov. Include following document identifier in the subject line: Nero HMS Trade Rule. Public hearings will be held in Miami, FL; New York, NY; Honolulu, HI; Piti, Guam; and Honolulu, HI. See below for further information.

Further Information: The full text of the proposed rule and a public hearing announcement can be found in the *Federal Register* at 69 FR 16211 (March 29, 2004) and 69 FR 19147 (April 12, 2004), respectively, or at www.nmfs.noaa.gov/sfa/hms/. For further information, contact: Dianne Stephan (Atlantic coast or other), 978-281-9397; Raymond Clarke (Western Pacific), 808-973-2935; David Hamm (Guam) 808-983-5330, Lori Robinson (Gulf coast), 228-769-8964; or Patricia J. Donley (West coast), 562-980-4033.

Authority: This rule is being proposed under the authority of The Atlantic Tunas Convention Act of 1975, The Tuna Conventions Act of 1950, and the Magnuson-Stevens Fishery Conservation and Management Act.