

The Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), amended on January 12, 2007 by Public Law 109-479, provides for the conservation and management of fishery resources within the U.S. Exclusive Economic Zone (EEZ). It also provides for fishery management authority over continental shelf resources and anadromous species beyond the EEZ, except when they are found within a foreign nation's territorial sea or fishery conservation zone (or equivalent), to the extent that such sea or zone is recognized by the United States.

The EEZ extends from the seaward boundary of each of the coastal States (generally 3 nautical miles from shore) to 200 nautical miles from shore. The seaward boundaries of Texas, Puerto Rico, and the Gulf coast of Florida are 3 marine leagues (9 nautical miles). The EEZ encompasses approximately 3.36 million square nautical miles.

GOVERNING INTERNATIONAL FISHERY AGREEMENT

Under the Magnuson-Stevens Act, the Secretary of State, in cooperation with the Secretary of Commerce, negotiates Governing International Fishery Agreements (GIFAs) with foreign nations requesting to fish within the EEZ. After a GIFA is signed, it is transmitted by the President to the Congress for ratification.

FOREIGN FISHING PERMITS

Title II of the Magnuson-Stevens Act governs foreign fishing in U.S. waters. The process applied to foreign fishing has been described in prior issues of this publication. As U.S. fishing capacity grew, foreign participation diminished in directed fisheries, as well as in foreign joint ventures in which U.S. vessels delivered U.S. harvested fish to permitted foreign vessels in the EEZ. Until 2001, the last directed fishing by foreign vessels occurred in 1991. However, in 2001, a small quantity of Atlantic herring was harvested by foreign vessels. The displacement of directed foreign fishing effort in the EEZ marked the achievement of one of the objectives of the Magnuson-Stevens Act: the development of the U.S. fishing industry to take what were in 1976 underutilized species.

NMFS continues to maintain certain regulations pertaining to foreign fishing should there be a situation in the

future in which allowing limited foreign fishing in an underutilized fishery would be advantageous to the U.S. fishing industry.

FMPs and PMPs

Under the Magnuson-Stevens Act, eight Regional Fishery Management Councils are charged with preparing Fishery Management Plans (FMPs) for the fisheries needing management within their areas of authority. After the Councils prepare FMPs that cover domestic and foreign fishing efforts, the FMPs are submitted to the Secretary of Commerce (Secretary) for approval and implementation. The Department, through NMFS Office of Law Enforcement and the U.S. Coast Guard, is responsible for enforcing the law and regulations.

Where no FMP exists, Preliminary Fishery Management Plans (PMPs), which only cover foreign fishing efforts, are prepared by the Secretary for each fishery for which a foreign nation requests a permit. The Secretary may also prepare an FMP if a Council fails to develop one. In this latter case, the Secretary's FMP covers domestic and foreign fishing.

The Secretary may prepare FMPs in the Atlantic and Gulf of Mexico for highly migratory species. The Atlantic HMS fisheries are managed by the Secretary under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA). Atlantic tunas, Atlantic billfish, and North Atlantic swordfish are managed under the authority of both ATCA and the Magnuson-Stevens Act. South Atlantic swordfish are managed under the sole authority of ATCA. Atlantic sharks in the HMS management unit are managed under the authority of the Magnuson-Stevens Act.

Under section 304 of the Magnuson-Stevens Act, all Council-prepared FMPs must be reviewed for approval by the Secretary of Commerce. Approved FMPs are implemented by Federal regulations under section 305 of the Act. As of December 31, 2010, there are 47 FMPs in effect. Of these, one is a Secretarial FMP for Atlantic highly migratory species. The FMPs are listed below, under the responsible Council. FMPs may be amended by the Council and the amendments are submitted for approval under the same Secretarial review process as new FMPs. Most of the FMPs have been amended since initial implementation.

The Magnuson-Stevens Fishery Conservation and Management Act

Pacific Fishery Management Council

1. Pacific Coast Groundfish FMP
2. West Coast Salmon FMP
3. Coastal Pelagic Species FMP
4. U.S. West Coast Fisheries for Highly Migratory Species FMP

Western Pacific Fishery Management Council

1. American Samoa FEP
2. Pelagic FEP
3. Hawaii FEP
4. Mariana FEP
5. PRIA FEP

Mid-Atlantic Fishery Management Council

1. Spiny Dogfish FMP (joint with NEFMC)
2. Summer Flounder, Scup, and Black Sea Bass FMP
3. Surf Clam and Ocean Quahog FMP
4. Atlantic Mackerel, Squid, and Butterfish FMP
5. Atlantic Bluefish FMP
6. Tilefish FMP

South Atlantic Fishery Management Council

1. Pelagic Sargassum Habitat of the South Atlantic Region FMP
2. Snapper Grouper FMP
3. Dolphin and Wahoo FMP
4. Shrimp FMP
5. Golden Crab FMP
6. Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region FMP

Caribbean Fishery Management Council

1. Spiny Lobster FMP
2. Corals and Reef-Associated Plants and Invertebrates FMP
3. Queen Conch FMP
4. Shallow Water Reef Fish FMP

Gulf of Mexico Fishery Management Council

1. Coastal Pelagics FMP (joint w/ SAFMC.)

2. Coral and Coral Reefs of the GOM FMP
3. Red Drum FMP
4. Stone Crab FMP
5. Shrimp FMP
6. Spiny Lobster FMP (joint w/ SAFMC)
7. Reef Fish FMP
8. Aquaculture FMP

New England Fishery Management Council

1. Northeast Multispecies FMP
2. Northeastern Skate FMP
3. Deep Sea Red Crab FMP
4. Atlantic Herring FMP
5. Atlantic Sea Scallop FMP
6. Monkfish FMP (joint with MAFMC)
7. Atlantic Salmon FMP

North Pacific Fishery Management Council

1. Bering Sea/Aleutian Islands Groundfish FMP
2. Gulf of Alaska Groundfish FMP
3. King and Tanner Crab FMP
4. Salmon FMP
5. Alaska Scallop FMP
6. Arctic FMP

Highly Migratory Species Plans

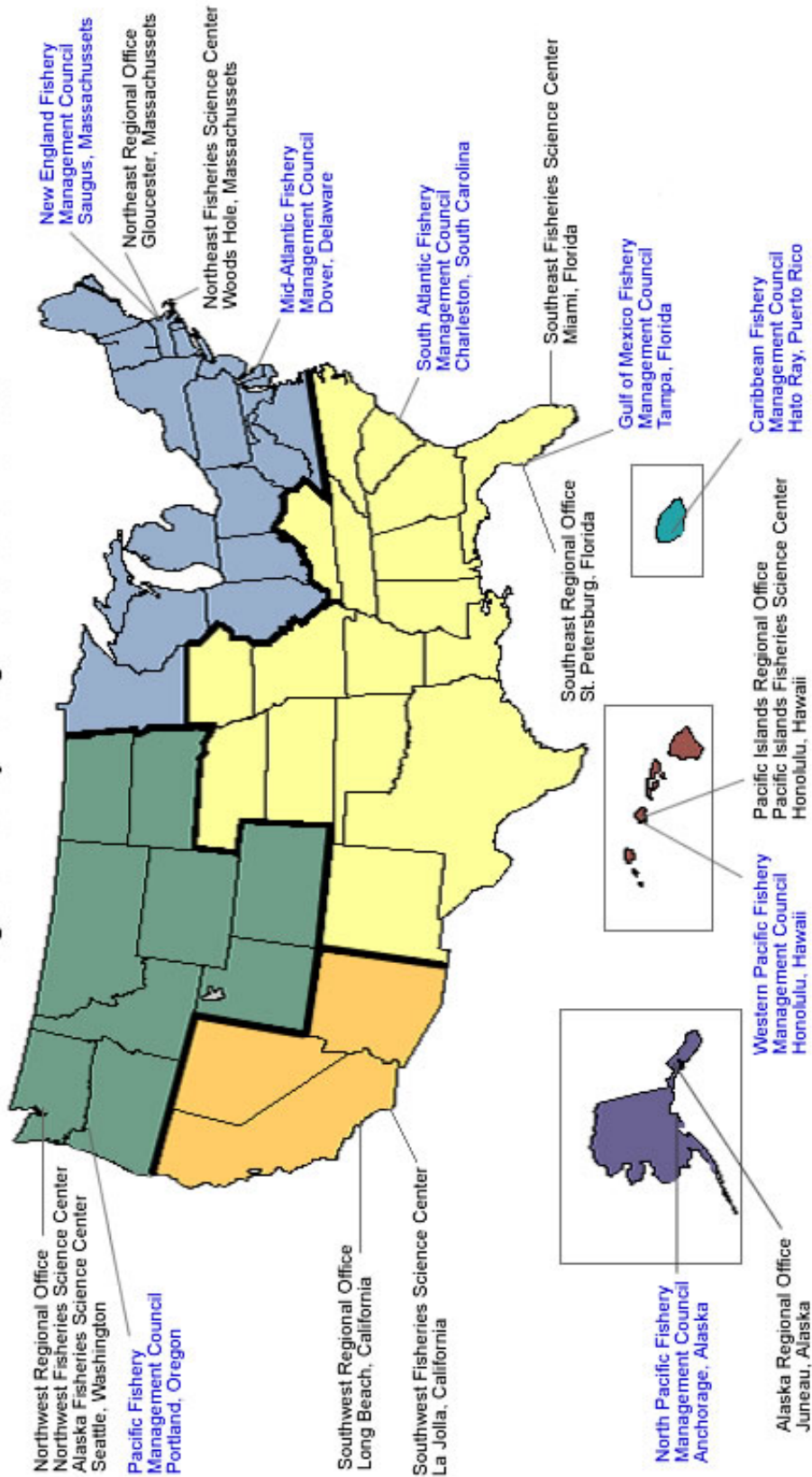
1. Consolidated Highly Migratory Species Fishery Management Plan

The Magnuson-Stevens Fishery Conservation and Management Act

REGIONAL FISHERY MANAGEMENT COUNCILS

<u>Council</u>	<u>Constituent States</u>	<u>Telephone Number</u>	<u>Executive Directors and Addresses</u>
NEW ENGLAND	(Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut)	978-465-0492 FAX: 465-3116	Paul J. Howard 50 Water St., Mill 2 Newburyport, MA 01950
MID-ATLANTIC	(New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina)	302-674-2331 FAX: 674-5399 Toll Free: 877-446-2362	Christopher M. Moore 800 North State Street Suite 201 Dover, DE 19901-3910
SOUTH ATLANTIC	(North Carolina, South Carolina, Georgia, and Florida)	843-571-4366 FAX: 769-4520 Toll Free: 866-723-6210	Robert K. Mahood 4005 Faber Place Dr., Suite 201 N. Charleston, SC 29405
GULF OF MEXICO	(Texas, Louisiana, Mississippi, Alabama, and Florida)	813-348-1630 FAX: 348-1711 Toll Free: 888-833-1844	Stephen Bortone 2203 North Lois Ave., Suite 1100 Tampa, FL 33607
CARIBBEAN	(U.S. Virgin Islands and Commonwealth of Puerto Rico)	787-766-5926 FAX: 766-6239	Miquel A. Rolón 268 Munoz Rivera Ave. Suite 1108 San Juan, PR 00918
PACIFIC	(California, Washington, Oregon, and Idaho)	503-820-2280 FAX: 820-2299 Toll Free: 866-806-7204	Donald O. McIsaac 7700 NE Ambassador Place Suite 101 Portland, OR 97220
NORTH PACIFIC	(Alaska, Washington, and Oregon)	907-271-2809 FAX: 271-2817	Chris W. Oliver 605 West 4th Ave., Suite 306 Anchorage, AK 99501
WESTERN PACIFIC	(Hawaii, American Samoa, Guam, and Commonwealth of the Northern Mariana Islands)	808-522-8220 FAX: 522-8226	Kitty M. Simonds 1164 Bishop St. Suite 1400 Honolulu, HI 96813

NOAA Fisheries Regional Offices and Science Centers Regional Fishery Management Council Offices



General Administrative Information

UNITED STATES DEPARTMENT OF COMMERCE
 14th and Constitution Ave., NW
 Washington, DC 20230

MAIL ROUTING CODE		TELEPHONE NUMBER
SEC	Acting Secretary of Commerce Rebecca M. Blank, Ph.D.	202-482-2112
A	Under Secretary of Commerce for Oceans and Atmosphere Jane Lubchenco, Ph.D.	202-482-3436
NATIONAL MARINE FISHERIES SERVICE		
1315 East-West Highway Silver Spring Metro Center #3 (SSMC #3) Silver Spring, MD 20910		
F	Assistant Administrator for Fisheries -- Eric C. Schwaab	301-427-8000
	Deputy Assistant Administrator for Regulatory Programs -- Samuel D.Rauch, III	301-427-8000
	Deputy Assistant Administrator for Operations -- John Oliver	301-427-8000
	Director, Scientific Programs & Chief Science Advisor -- Ned Cyr, Ph.D. (Acting)	301-427-8000
	Director, Office of Policy -- Mark Holliday, Ph.D.	301-427-8004
	Director, NOAA Aquaculture Program -- Michael Rubino, Ph.D.	301-427-8325
	Chief Information Officer -- Larry Tyminski	301-427-8800
	Director, Office of Communications-- Judith Gan	301-427-8011
	Equal Employment Opportunity -- Natalie Huff	301-427-8025
F/IA	International Fisheries-- Rebecca Lent, Ph.D.	301-427-8368
F/IA1	International Fisheries Division	301-427-8350
F/IA2	Trade and Stewardship Division	301-427-8350
F/EN	Office of Law Enforcement -- Bruce Buckson	301-427-2300
F/EN1	Enforcement Operations Division	301-427-2300
F/SI	Seafood Inspection Program -- Timothy Hansen	301-427-8300
F/HC	Office of Habitat Conservation -- Patricia Montanio	301-427-8600
F/HCx1	Chesapeake Bay Program Office	410-267-5660
F/HC2	Habitat Protection Division	301-427-8601
F/HC3	Habitat Restoration Division	301-427-8602

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UNITED STATES DEPARTMENT OF COMMERCE

Silver Spring, MD. 20910

<u>MAIL ROUTING CODE</u>		<u>TELEPHONE NUMBER</u>
F/MB	Office of Management and Budget -- Gary Reisner	301-427-8727
F/MB 1	Budget Execution Division	301-427-8721
F/MB 2	Management and Administration Division	301-427-8742
F/MB 4	Budget Formulation and Planning Division	301-427-8760
F/MB 5	Financial Services Division	301-427-8771
F/MB6	Facilities , Safety and Logistics Division	301-427-8789
F/MB7	Appeals Division	301-427-8729
F/PR	Office of Protected Resources -- James H. Lecky	301-427-8400
F/PR1	Permits, Conservation and Education Division	301-427-8401
F/PR2	Marine Mammal and Sea Turtle Conservation Division	301-427-8402
F/PR3	Endangered Species Division	301-427-8403
F/PR4	Planning and Program Coordination Division	301-427-8404
F/SF	Office of Sustainable Fisheries -- Alan Risenhoover	301-427-8500
F/SF1	Highly Migratory Species Division	301-427-8503
F/SF3	Domestic Fisheries Division	301-427-8504
F/SF5	Regulatory Services Division	301-427-8505
F/SF6	Seafood Inspection Laboratory	228-769-8964
F/SF8	Partnerships and Communications Division	301-427-8502
F/ST	Office of Science and Technology -- Ned Cyr, Ph.D.	301-427-8100
F/ST1	Fisheries Statistics Division	301-427-8103
F/ST4	Assessment and Monitoring Division	301-427-8102
F/ST5	Economics and Social Analysis Division	301-427-8101
F/ST6	Science Information Division	301-427-8101
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LA11	Office of Congressional Affairs - Fisheries -- Stephanie Hunt	202-482-5597
PAF	Office of Public Affairs - Fisheries -- Connie Barclay	301-427-8029
GCF	Office of General Counsel - Fisheries -- Adam Issenberg	301-713-9670

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NATIONAL MARINE FISHERIES SERVICE REGIONAL FACILITIES

<u>MAIL ROUTING CODE</u>	<u>OFFICE</u>	<u>TELEPHONE and FAX NUMBER</u>	<u>LOCATION</u>
F/NER	Northeast Region 55 Great Republic Drive Gloucester, MA 01930	978-281-9300 Fax-281-9333	Gloucester, MA
F/NEC	Northeast Fisheries Science Center 166 Water St. - Rm. 312 Woods Hole, MA 02543	508-495-2000 Fax-495-2258	Woods Hole, MA
	Woods Hole Laboratory 166 Water St. Woods Hole, MA 02543	508-495-2000 Fax-495-2258	Woods Hole, MA
	Narragansett Laboratory 28 Tarzwell Drive Narragansett, RI 02882	401-782-3200 Fax-782-3201	Narragansett, RI
	Milford Laboratory 212 Rogers Ave. Milford, CT 06460	203-882-6500 FAX-882-6570	Milford, CT
	James J. Howard Marine Science Laboratory 74 Magruder Road, Sandy Hook Highlands, NJ 07732	732-872-3000 FAX-872-3088	Highlands, NJ
	Natl. Systematics Laboratory, MRC153 10th & Constitution Ave., NW, P.O. Box 37012 Washington, DC 20013-7012	202-633-1290 FAX-633-8848	Washington, DC
	Orono Maine Field Station 17 Godfey Drive-Suite 1 Orono, ME 04473	207-866-7322 FAX-866-7342	Orono, ME
F/SER	Southeast Region 263 13th Avenue, South St. Petersburg, FL 33701	727-824-5301 FAX-824-5320	St. Petersburg, FL
F/SEC	Southeast Fisheries Science Center 75 Virginia Beach Dr. Miami, FL 33149	305-361-4200 FAX-361-4219	Miami, FL
F/SEC4	Miami Laboratory 75 Virginia Beach Dr. Miami, FL 33149	305-361-4225 FAX-361-4499	Miami, FL
F/SEC5	Mississippi Laboratory 3209 Frederick St., P.O. Drawer 1207 Pascagoula, MS 39568	228-762-4591 FAX-769-9200	Pascagoula, MS
F/SEC6	Panama City Laboratory 3500 Delwood Beach Rd. Panama City, FL 32408	850-234-6541 FAX-235-3559	Panama City, FL
F/SEC7	Galveston Laboratory 4700 Avenue U Galveston, TX 77551	409-766-3500 FAX-766-3508	Galveston, TX

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F/SEC9	Beaufort Laboratory 101 Pivers Island Rd Beaufort, NC 28516	252-728-3595 FAX-728-8784	Beaufort, NC
F/NWR	Northwest Region 7600 Sand Point Way, N.E., Bldg. 1 Seattle, WA 98115	206-526-6150 FAX-526-6426	Seattle, WA
F/NWC	Northwest Fisheries Science Center West Bldg. - Rm. 363 2725 Montlake Boulevard, East Seattle, WA 98112	206-860-3200 FAX-860-3217	Seattle, WA
F/SWR	Southwest Region 501 West Ocean Blvd., Suite 4200 Long Beach, CA 90802	562-980-4000 FAX-980-4018	Long Beach, CA
F/SWC	Southwest Fisheries Science Center 8604 La Jolla Shores Dr. P.O. Box 271 La Jolla, CA 92037	858-546-7000 FAX-546-7003	La Jolla, CA
F/SWC3	Fisheries Ecology Division 110 Shaffer Rd. Santa Cruz, CA 95060	831-420-3900 FAX-420-3980	Santa Cruz, CA
F/SWC4	Environmental Research Division 1352 Lighthouse Ave. Pacific Grove, CA 93950	831-648-8515 FAX-648-8440	Pacific Grove, CA
F/AKR	Alaska Region 709 West 9th Street, Room 420 P.O. Box 21668 Juneau, AK 99802	907-586-7221 FAX-586-7249	Juneau, AK
F/AKC	Alaska Fisheries Science Center, 7600 Sand Point Way, N.E. Building 4 P.O. Box 15700 Seattle, WA 98115	206-526-4000 FAX-526-4004	Seattle, WA
	Kodiak Laboratory 301 Research Court Kodiak, AK 99615	907-481-1700 FAX-481-1701	Kodiak, AK
F/AKC4	Auke Bay Laboratory 17109 Point Lena Loop Road Juneau, AK 99801	907-789-6000 FAX-789-6094	Juneau, AK
F/PIR	Pacific Islands Region 1601 Kapiolani Blvd., Rm. 1110 Honolulu, HI 96814	808-944-2200 FAX-973-2941	Honolulu, HI
F/PIC	Pacific Islands Fisheries Science Center 2570 Dole Street, Rm. 114 Honolulu, HI 96822	808-983-5300 FAX-983-2902	Honolulu, HI

General Administrative Information

NATIONAL MARINE FISHERIES SERVICE NATIONAL FISHERY STATISTICS OFFICES

<u>CITY</u>	<u>TELEPHONE NUMBER</u>	<u>NAME AND ADDRESS</u>
<u>NEW ENGLAND:</u>		
(2) Portland	207-780-3322 FAX:780-3340	Scott McNamara , Merrie Cartwright, Ph. D., Jodie York, Marine Trade Center, Suite 212 Two Portland Fish Pier, Portland, ME 04101-4633
Boston	617-223-8018 FAX:223-8020	Jack French, Boston Market News, 408 Atlantic Ave., Rm. 141, Boston, MA 02210-2203
(1) Gloucester	978-281-9304 FAX:281-9161	Gregory R. Power, Fishery Inf. Section 55 Great Republic Dr., Gloucester, MA 01930-2276
Gloucester	978-281-9363 FAX:281-9372	Don Mason, Caleb Gilbert, Aaron Dieckerhoff, 55 Great Republic Dr. Gloucester, MA 01930-2276
New Bedford	508-984-0063 FAX:990-2506	John Mahoney, Dan Syriala, Katie Almeida, Caela Schmidt U.S. Custom House, 37 N. Second St., New Bedford, MA 02740-6329
Chatham	508-945-5961 FAX:945-3793	Lorraine Spenle, 1619 Main St., P.O. Box 1197, West Chatham, MA 02669
(2) Point Judith	401-783-7797 FAX:782-2113	Walter Anoushian/Chris Zanni/Elizabeth Marchetti, 83 State St., 2nd Floor, P.O. Box 3356, Narragansett, RI 02882-0547
<u>MIDDLE ATLANTIC AND CHESAPEAKE:</u>		
New York	212-620-3405 FAX:620-3577	Robert Santangelo, New York Market News, 201 Varick St., Rm. 701, New York, NY 10014
(2) E. Hampton, NY	631-324-3569 FAX:324-3314	Victor Vecchio Marc Renaghan, Sara Petrochic, 62 Newtown Ln #203 East Hampton, NY 11937
Patchogue	631-475-6988 FAX:289-8361	David McKernan Social Security Bldg., 50 Maple Ave, P.O. Box 606, Patchogue, L.I., NY 11772-98
(2) Toms River	732-818-1311 FAX:349-4319	Joanne Pellegrino Casey Macisso, Josh O'Connor, 26 Main St. Suite O, P.O. Box 143, Toms River, NJ 08754
Cape May	609-884-2113 FAX:884-4908	Ingo Fleming, Alissa Wilson, 1382 Lafayette St., Cape May, NJ 08204
(2) Hampton	757-723-3369 FAX:728-3947	David Ulmer / Steve Ellis / George Mattingly, 1006 N Settlers Landing Rd., P.O. Box 69172, Hampton, VA 23669
<u>SOUTH ATLANTIC AND GULF:</u>		
(1) Miami	305-361-4257 FAX:361-4460	David Gloeckner, 75 Virginia Beach Drive, Room: A-101 Miami, FL 33149
Manteo	252-473-5734	David Hoke, 1021 Driftwood Dr. Manteo, NC 27954 (Fax - (252) 473-1674)
Wilmington	910-796-7247	Richard Hall, NCSMF 127 Cardinal Dr., Wilmington, NC 28405 (Fax - (910) 350-2174)
New Smyrna Beach	386-427-6562 FAX: SAME	Claudia Dennis, Coast Guard Station/Ponce Inlet 2999 N Peninsula Avenue, New Smyrna Beach, FL 32169
Tequesta	561-575-4461 FAX: SAME	H. Charles Schaefer / Michelle Gamby, 19100 S.E. Federal Highway, Tequesta, FL 33469
(1) Miami	305-361-4290 x 290 FAX:361-4562	Larry Beerkircher, 75 Virginia Beach Dr., Room 324 Miami, FL 33149
	305-361-4565 x 565 FAX:361-4460	Pam Brown-Eyo, 75 Virginia Beach Dr., Bldg., 2 Miami, FL 33149-1003
Key West	305-294-1921 FAX: SAME	Edward J. Little, Jr., Federal Bldg. Rm. 208, 301 Siminton St. Key West, FL 33040
Naples	239-514-3474 FAX: SAME	Tom Herbert, 5659 Strand Ct., Suite 107 Naples, FL 34110

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St. Petersburg	727-551-5793 FAX: 824-5349	Renee Roman, 263 13th Avenue, South, St. Petersburg, FL 33701
Panama City	727-824-5373 850-234-6544 FAX: 234-3559	Jay Boulet, Address and Fax number same as above. Deborah Fable / June Weeks, 3500 Delwood Beach Rd., Panama City, FL 32407
Mobile	334-441-6193 FAX: SAME	Ted Flowers, 8501 Tanner Williams Rd., P.O. Box 97, Mobile, AL 36608
Pascagoula	228-549-1611 FAX: 769-9200	Charles Armstrong, 3209 Frederic St., P.O. Box Drawer 1207, Pascagoula, MS 39567
New Orleans	504-242-0740 (D. Batiste) 504-365-8195 (J. Jensen) FAX: 242-0525	Debbie Batiste / Jill Jensen, Naval Support Activity, 2300 General Myers Ave., Bldg. H-100, Rm. 282, New Orleans, LA 70142
Golden Meadow	985-632-4324 FAX: SAME	Gary J. Rousse, (15063 East Main, Cut Off, LA), P.O.Box 623, Golden Meadow, LA 70357
Houma	985-872-3321 FAX: SAME	Kathleen Hebert, 425 Lafayette St., Rm. 128, Houma, LA 70360
Lafayette	337-291-2117 FAX: 291-2118	Beth Bourgeois, NOAA Fisheries Lab., 646 Cajundome Blvd., Room 220 Lafayette, LA 70506
Port Arthur	409-833-9618 FAX: SAME	Albert Gabel, 350 Magnolia Ave, #170 Beaumont, TX 77701
Galveston	409-766-3515 FAX: 766-3543	Keith Roberts, 4700 Avenue U, Bldg. 302, Room 217 Galveston, TX 77551
Freeport	979-233-4551 FAX: SAME	Michelle Padgett, 200 W. Second Street, Suite 213, P.O.Box 2533, Suite 213 Freeport, TX 77542
Brownsville/ Port Isabel	956-548-2516 FAX: SAME	Kit Doncaster, 1000 Everglades Rd. Brownsville, TX 78521
<u>SOUTHWEST PACIFIC:</u>		
(1) Long Beach, CA	562-980-4040 FAX: 980-4047	Mark Helvey, 501 West Ocean Boulevard, Rm. 4200, P.O. Box 32469, Long Beach, CA 90832
<u>NORTHWEST PACIFIC:</u>		
(1) Seattle	206-526-6113 FAX: 526-6736	Stephen Freese, Bldg. 1, 7600 Sand Point Way, NE, Seattle, WA 98115
<u>ALASKA :</u>		
(1) Juneau	907-586-7010 FAX: 586-7465	Jennifer Mondragon, Federal Building, 4th Floor, 709 West 9th St., Room 401 P.O. Box 21668, Juneau, AK 99801
<u>PACIFIC ISLANDS:</u>		
(1) Honolulu	808-983-5330 FAX: 983-2902	David Hamm, 2570 Dole Street, Room 121 Honolulu, HI 96822-2396

(1) Regional or area headquarters for statistics offices.

(2) State partner coordinator.

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PUBLICATIONS AVAILABLE FROM U.S. GOVERNMENT PRINTING OFFICE

STATISTICAL REPORTS

003-020-00000-0 Fisheries of the United States, 2010...**NA**

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003-020-00192-1 Fisheries of the United States, 2007...\$18.00

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030-020-00000-0 Our Living Oceans, Report on the Status of U.S. Living Marine Resources, 2009...**NA**

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SEA GRANT EXTENSION PROGRAM

The Office of Sea Grant is a major program element of the National Oceanic and Atmospheric Administration. The National Sea Grant College Program is funded jointly by the Federal Government and colleges or universities. Sea Grant's Extension Program offers a broad range of information concerning the Nation's fisheries to recreational and commercial fishermen, fish processors, and others. The following program leaders, listed alphabetically by State, can provide information on Sea Grant activities:

Leon C. Cammen

National Sea Grant Extension Leader

National Sea Grant Office/NOAA
1315 East-West Highway, Room 11841
Silver Spring, MD 20910
(301) 734-1066 FAX: 713-0799
leon.cammen@noaa.gov

David Christie

AK Sea Grant

Wells Fargo Building-749 University Ave
Suite 238 Fairbanks, AK 99709
(907) 474-7086 FAX: 474-6285
david.christie@alaska.edu

Dr. James E. Eckman, Director

**California Sea Grant Program
University of California, San Diego**

Scripps Institute-9500 Gilman Drive
La Jolla, CA 92093-0232
(858) 534-4440 FAX: 534-2231
jeckman@ucsd.edu

Linda E. Duguay

Southern California Sea Grant Program

3616 Trousdale Parkway - AHF 209F
Los Angeles, CA 90089-0373
(213) 821-1335 FAX: 740-5936
duguay@usc.edu

Sylvain De Guise, Director

Connecticut Sea Grant, Univ. of CT

1080 Shennecossett Road
Groton, CT 06340-6097
(860) 405-9138 FAX: 405-9109
sylvain.deguise@uconn.edu

Nancy Targett

Delaware Sea Grant - Univ of DE

111 Robinson Hall
Newark, DE 19716-3501
(302) 831-2841 FAX: 831-4389
ntargett@udel.edu

Karl Havens

Florida Sea Grant - Univ. of FL

Bldg 803 McCarty Drive
Box 110400
Gainesville, FL 32611-0400
(352) 392-5870 FAX: 392-5113
khavens@ufl.edu

Dr. Charles Hopkinson

**Georgia Sea Grant
School of Marine Programs**

220 Marine Sciences Building
Athens, GA 30602-3636
(706) 542-1855
chopkins@uga.edu

E. Gordon Grau

Hawaii Sea Grant - Univ. of HI

2525 Correa Road, HIG 238
Honolulu, HI 96822
(808) 956-7031 FAX: 956-3014
sgdir@hawaii.edu

Brian K. Miller

Illinois-Indiana Sea Grant-Univ. of IN

1101 W. Peabody Drive
376 National Soybean
Research Center, MC-635
Urbana, IL 61801
(217) 333-6444 FAX: 333-8046
millerbk@uiuc.edu

Charles Wilson

Louisiana Sea Grant LA State Univ

239 Sea Grant Building
Baton Rouge, LA 70803-7507
(225) 578-6710 FAX: 578-6331
cwilson@lsu.edu

Paul Anderson

Maine Sea Grant - Univ. of ME

5784 York Complex
Orono, ME 04469-5784
(207) 581-1435 FAX: 581-1426
panderson@maine.edu

Jonathan Kramer

Maryland Sea Grant - Univ. of MD

4321 Hartwick Road, Suite 300
College Park, MD 20740
(301) 405-7500 x10 FAX: 314-5780
kramer@mdsg.umd.edu

Chrysostomos Chrysostomidis

**MIT Sea Grant - Massachusetts
Institute of Technology**

Building E38 Rm 330/Kendall Square
292 Main Street
Cambridge, MA 02139-9910
(617) 253-7131 FAX: 258-5730
chrys@mit.edu

Judith E. McDowell

**WHOI Sea Grant
Woods Hole Oceanographic Institution**

193 Oyster Pond Road, MS #2
Woods Hole, MA 02543-1525
(508) 289-2557 FAX: 457-2172
jmcdowell@whoi.edu

James Diana

Michigan Sea Grant

Samuel T. Dana Building, G128a
440 Church Street, Suite 4044
Ann Arbor, Michigan 48109-1041
(734) 763-5834 FAX: 647-0768
jimda@umich.edu

Jeff Gunderson

Minnesota Sea Grant - Univ. of MN.

144 Chester Park
31 West College Street
Duluth, MN 55812-1445
(218) 726-8715 FAX: 726-6556
jgunder1@umn.edu

LaDon Swann

MS-AL Sea Grant Consortium

703 East Beach Drive
Ocean Springs, MS 39564
(228) 818-8843 FAX: 818-8841
swannld@auburn.edu

SEA GRANT EXTENSION PROGRAM

Jonathan Pennock
New Hampshire Sea Grant
University of New Hampshire
Jere A. Chase Ocean Engineering Lab.
24 Colovos Road
Durham, NH 03824-3505
(603) 862-2921 FAX: 862-0243
jonathan.pennock@unh.edu

Peter Rowe
New Jersey Sea Grant
New Jersey Sea Grant Consortium
22 Magruder Road
Fort Hancock, NJ 07732
(732) 872-1300 ext. 21 FAX: 872-9573
prowe@njmsc.org

James W. Ammerman, Director
New York Sea Grant
State University of New York
121 Discovery Hall
Stony Brook, NY 11794-5001
(631) 632-6906 FAX: 632-6917
james.ammerman@stonybrook.edu

Michael Voiland
North Carolina Sea Grant, NC State Univ.
Box 8605
1575 Varsity Drive, Module 1
Raleigh, NC 27695-8605
(919) 515-2455 FAX: 515-7095
michael_voiland@ncsu.edu

Jeffrey M. Reutter
Ohio Sea Grant - OH State Univ.
1314 Kinnear Road, Room 100
Columbus, OH 43212-1194
(614) 292-8949 FAX: 292-4364
reutter.1@osu.edu

Stephen Brandt
Oregon Sea Grant- OR State Univ.
322 Kerr Administration Building
Corvallis, OR 97331-2131
(541) 737-3396 FAX: 737-7958
stephen.brandt@oregonstate.edu

Robert W. Light
Pennsylvania Sea Grant-PA State Univ.
Tom Ridge Environmental Center
301 Peninsula Drive, Suite 3
Erie, PA 16505
(814) 217-9018 FAX: 217-9021
rw12@psu.edu

Ruperto Chapparo
Sea Grant College Program
UPR-RUM
Call Box 9000
Mayaguez, PR 00681-9011
(787) 832-3585 FAX: 265-2880
rchapparr@uprm.edu

Barry A. Costa-Pierce
Rhode Island Sea Grant
University of Rhode Island
Graduate School of Oceanography
129 Coastal Institute Building
Narragansett, RI 02882-1197
(401) 874-6800 FAX: 789-8340
bcp@gso.uri.edu

M. Richard DeVoe
South Carolina Sea Grant Consortium
287 Meeting Street
Charleston, SC 29401
(843) 727-2078 FAX: 727-2080
Rick.Devoe@scseagrant.org

Robert R. Stickney
Texas Sea Grant - TX A&M Univ.
2700 Earl Rudder Fwy South, Suite 1800
College Station, TX 77845
(979) 845-3854 FAX: 845-7525
stickney@tamu.edu

Dr. Mary C. Watzin
Lake Champlain Sea Grant - Univ. of VT
The Rubenstein School - Aiken Center
81 Carrigan Drive
Burlington, VT 05405-0088
(802) 656-4057 FAX: 656-8683
Mary.Watzin@uvm.edu

Troy Hartley
Virginia Sea Grant - Marine Advisory Services
VA. Institute of Marine Science
PO Box 1346
Gloucester Pt., VA 23062-1346
(804) 684-7248 FAX: 684-7161
thartley@vims.edu

Penelope D. Dalton
Washington Sea Grant - Univ. of WA
Box 355060
3716 Brooklyn Avenue, N.E.
Seattle, WA 98105-6716
(206) 543-6600 FAX: 685-0380
pdalton@u.washington.edu

Anders W. Andren
Wisconsin Sea Grant - Univ. of WI, Madison
Goodnight Hall, Floor 2
1975 Willow Drive
Madison, WI 53706-1177
(608) 262-0905 FAX: 262-0591
awandren@seagrant.wisc.edu

NATIONAL SEA GRANT LIBRARY
(Clearinghouse for all Sea Grant Publications)
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Narragansett, RI 02882
PHONE: 401-874-6114 -- nsgl@gso.uri.edu

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ANADROMOUS SPECIES. These are species of fish that mature in the ocean, and then ascend streams to spawn in freshwater. In the Magnuson -Stevens Act, these species include, but are not limited to, Atlantic and Pacific salmon, steelhead trout, and striped bass. See 42 FR 60682, Nov. 28, 1977.

ANALOG PRODUCTS. These include imitation and simulated crab, lobster, shrimp, scallops, and other fish and shellfish products fabricated from processed fish meat (such as surimi).

AQUACULTURE. The farming of aquatic organisms in marine, brackish or fresh water. Farming implies private or corporate ownership of the organism and enhancement of production by stocking, feeding, providing protection from predators, or other management measures. Aquaculture production is reported as the weight and value of cultured organisms at their point of final sale.

BATTER-COATED FISH PRODUCTS. Sticks and portions or other forms of fish or shellfish coated with a batter containing a leavening agent and mixture of cereal products, flavoring, and other ingredients, and partially cooked in hot oil a short time to expand and set the batter.

BOAT, OTHER. Commercial fishing craft not powered by a motor, e.g., rowboat or sailboat, having a capacity of less than 5 net tons. See motorboat.

BREADED FISH PRODUCTS. Sticks and portions or other forms of fish or shellfish coated with a non-leavened mixture containing cereal products, flavorings, and other ingredients. Breaded products are sold raw or partially cooked.

BREADED SHRIMP. Peeled shrimp coated with breading. The product may be identified as fantail (butterfly) and round, with or without tail fins and last shell segment; also known as portions, sticks, steaks, etc., when prepared from a composite unit of two or more shrimp pieces whole shrimp or a combination of both without fins or shells.

BUTTERFLY FILLET. Two skin-on fillets of a fish joined together by the belly skin. See fillets.

CANNED FISHERY PRODUCTS. Fish, shellfish, or other aquatic animals packed in cans, or other containers, which are hermetically sealed and heat-sterilized. Canned fishery products may include milk, vegetables, or other products. Most, but not all, canned fishery prod-

ucts can be stored at room temperature for an indefinite time without spoiling.

COMMERCIAL FISHERMAN. An individual who derives income from catching and selling living resources taken from inland or marine waters.

CONSUMPTION OF EDIBLE FISHERY PRODUCTS. Estimated amount of commercially landed fish, shellfish, and other aquatic animals consumed by the civilian population of the United States. Consumption includes U.S. production of fishery products from both domestically caught and imported fish, shellfish, other edible aquatic plants, animals, and imported products and excludes exports and purchases by the U.S. Armed Forces.

CONTINENTAL SHELF FISHERY RESOURCES. These are living organisms of any sedentary species that at the harvestable stage are either (a) immobile on or under the seabed, (b) unable to move except in constant physical contact with the seabed or subsoil of the continental shelf. The Magnuson -Stevens Act now lists them as certain abalones, surf clam and ocean quahog, queen conch, Atlantic deep-sea red crab, dungeness crab, stone crab, king crabs, snow (tanner) crabs, American lobster, certain corals, and sponges.

CURED FISHERY PRODUCTS. Products preserved by drying, pickling, salting, or smoking; not including canned, frozen, irradiated, or pasteurized products. Dried products are cured by sun or air-drying; pickled or salted products are those products preserved by applying salt, or by pickling (immersing in brine or in a vinegar or other preservative solution); smoked products are cured with smoke or a combination of smoking and drying or salting.

DEFLATED VALUE. The deflated values referred to in this document are calculated with the Gross Domestic Products Implicit Price Deflator. The base year for this index is 1987.

EDIBLE WEIGHT. The weight of a seafood item exclusive of bones, offal, etc.

EEZ. See U.S. Exclusive Economic Zone.

EL NINO. This anomalous ocean warming of the eastern Equatorial Pacific occurs at time intervals varying from 2-10 years. El Nino conditions result in an accumulation of warm water off South America which reduced the upwelling of nutrient-rich water necessary to

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support fisheries production. These conditions extended northward to the U.S. Pacific Coast. In addition to affecting the food available for fish, El Niño appears to alter the normal ranges, distributions, and migrations of fish populations.

EUROPEAN UNION. EU 27 Countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

EXPORT VALUE. The value reported is generally equivalent to f.a.s. (free alongside ship) value at the U.S. port of export, based on the transaction price, including inland freight, insurance, and other charges incurred in placing the merchandise alongside the carrier at the U.S. port of exportation. The value excludes the cost of loading, freight, insurance, and other charges or transportation cost beyond the port of exportation.

EXPORT WEIGHT. The weight of individual products as exported, i.e., fillets, steaks, whole, breaded, etc. Includes both domestic and foreign re-exports data.

EXVESSEL PRICE. Price received by the harvester for fish, shellfish, and other aquatic plants and animals.

FISH BLOCKS. Regular fish blocks are frozen blocks or slabs of fillets or pieces of fillets cut or sliced from fish. Minced fish blocks are frozen blocks or slabs of minced flesh produced by a meat and bone separating machine.

FISH FILLETS. The sides of fish that are either skinned or have the skin on, cut lengthwise from the backbone. Most types of fillets are boneless or virtually boneless; some may be labeled as “boneless fillets.”

FISH MEAL. A high-protein animal feed supplement made by cooking, pressing, drying, and grinding fish or shellfish.

FISH OIL. An oil extracted from body (body oil) or liver (liver oil) of fish and marine mammals; mostly a byproduct of fish meal production.

FISH PORTION. A piece of fish flesh that is generally of uniform size with thickness of 3/8 of an inch or more and differs from a fish stick in being wider or of a different shape. A fish portion is generally cut from a fish block.

FISH SOLUBLES. A water-soluble protein byproduct of fish meal production. Fish solubles are generally

condensed to 50 percent solids and marketed as “condensed fish solubles.”

FISH STEAK. A cross-section slice cut from a large dressed fish. A steak is usually about 3/4 of an inch thick.

FISH STICK. An elongated piece of breaded fish flesh weighing not less than 3/4 of an ounce and not more than 1-1/2 ounces with the largest dimension at least three times that of the next largest dimension. A fish stick is generally cut from a fish block.

FISHERY MANAGEMENT PLAN (FMP). A plan developed by a Regional Fishery Management Council, or the Secretary of Commerce under certain circumstances, to manage a fishery resource in the U.S. EEZ pursuant to the MFCMA (Magnuson Act).

FISHING CRAFT, COMMERCIAL. Boats and vessels engaged in capturing fish, shellfish, and other aquatic plants and animals for sale.

FULL-TIME COMMERCIAL FISHERMAN. An individual who receives more than 50 percent of his or her annual income from commercial fishing activities, including port activity, such as vessel repair and re-rigging.

GROUND FISH. Broadly, fish that are caught on or near the sea floor. The term includes a wide variety of bottom fishes, rockfishes, and flatfishes. However, NMFS sometimes uses the term in a narrower sense. In “Fisheries of the United States,” the term applies to the following species--Atlantic and Pacific: cod, hake, ocean perch, and pollock; cusk; and haddock.

IMPORT VALUE. Value of imports as appraised by the U.S. Customs Service according to the Tariff Act of 1930, as amended. It may be based on foreign market value, constructed value, American selling price, etc. It generally represents a value in a foreign country, and therefore excludes U.S. import duties, freight, insurance, and other charges incurred in bringing the merchandise to the United States.

IMPORT WEIGHT. The weights of individual products as received, i.e., fillets, steaks, whole, headed, etc.

INDUSTRIAL FISHERY PRODUCTS. Items processed from fish, shellfish, or other aquatic plants and animals that are not consumed directly by humans. These items contain products from seaweeds, fish meal, fish oils, fish solubles, pearl essence, shark and other aquatic animal skins, and shells.

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INTERNAL WATER PROCESSING (IWPs). An operation in which a foreign vessel is authorized by the governor of a state to receive and process fish in the internal waters of a state. The Magnuson Act refers to internal waters as all waters within the boundaries of a state except those seaward of the baseline from which the territorial sea is measured.

JOINT VENTURE. An operation authorized under the (Magnuson-Stevens Act) in which a foreign vessel is authorized to receive fish from U.S. fishermen in the U.S. EEZ. The fish received from the U.S. vessel are part of the U.S. harvest.

LANDINGS, COMMERCIAL. Quantities of fish, shellfish, and other aquatic plants and animals brought ashore and sold. Landings of fish may be in terms of round (live) weight or dressed weight. Landings of crustaceans are generally on a live-weight basis except for shrimp which may be on a heads-on or heads-off basis. Mollusks are generally landed with the shell on, but for some species only the meats are landed, such as sea scallops. Data for all mollusks are published on a meat-weight basis.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT, Public Law 94-265, as amended. The Magnuson-Stevens Act provides a national program for the conservation and management of fisheries to allow for an optimum yield (OY) on a continuing basis and to realize the full potential of the Nation's fishery resources. It established the U.S. Exclusive Economic Zone (EEZ) (formerly the FCZ - Fishery Conservation Zone) and a means to control foreign and certain domestic fisheries through PMPs and FMPs. Within the U.S. EEZ, the United States has exclusive management authority over fish (meaning finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals, birds, and highly migratory species of tuna). The Magnuson Act provides further exclusive management authority beyond the U.S. EEZ for all continental shelf fishery resources and all anadromous species throughout the migratory range of each such species, except during the time they are found within any foreign nation's territorial sea or fishery conservation zone (or the equivalent), to the extent that such a sea or zone is recognized by the United States.

MARINE RECREATIONAL FISHING. Fishing for pleasure, amusement, relaxation, or home consumption.

MARINE RECREATIONAL CATCH. Quantities of finfish, shellfish, and other living aquatic organisms caught, but not necessarily brought ashore, by marine recreational fisherman.

MARINE RECREATIONAL FISHERMEN. Those people who fish in marine waters primarily for recreational purposes. Their catch is primarily for home consumption, although occasionally a part or all of their catch may be sold and enter commercial channels. This definition is used in the NMFS Marine Recreational Fishery Statistics Survey, and is not intended to represent a NMFS policy on the sale of angler-caught fish.

MAXIMUM SUSTAINABLE YIELD (MSY). MSY from a fishery is the largest annual catch or yield in terms of weight of fish caught by both commercial and recreational fishermen that can be taken continuously from a stock under existing environmental conditions. A determination of MSY, which should be an estimate based upon the best scientific information available, is a biological measure necessary in the development of optimum yield.

METRIC TONS. A measure of weight equal to 1,000 kilograms, 0.984 long tons, 1.1023 short tons, or 2,204.6 pounds.

MOTORBOAT. A motor-driven commercial fishing craft having a capacity of less than 5 net tons, or not officially documented by the Coast Guard. See "boat, other".

NORTHWEST ATLANTIC FISHERIES ORGANIZATION (NAFO). This convention, entered into force January 1, 1979, replaces ICNAF. NAFO provides a forum for continued multilateral scientific research and investigation of fishery resources that occur beyond the limits of coastal nations' fishery jurisdiction in the northwest Atlantic, and will ensure consistency between NAFO management measures in this area and those adopted by the coastal nations within the limits of their fishery jurisdiction.

OPTIMUM YIELD (OY). In the MFCMA (Magnuson Act), OY with respect to the yield from a fishery, is the amount of fish that (1) will provide the greatest overall benefit to the United States, with particular reference to food production and recreational opportunities; and (2) is prescribed as such on the basis of maximum sustainable yield from such fishery, as modified by any relevant ecological, economic, or social factors.

PART-TIME COMMERCIAL FISHERMAN. An individual who receives less than 50 percent of his or her annual income from commercial fishing activities.

PER CAPITA CONSUMPTION. Consumption of edible fishery products in the United States divided by the total civilian population. In calculating annual per capita consumption, estimates of the civilian resident population of the United States on July 1 of each year are used. These estimates are taken from current population reports, published by the U.S. Bureau of the Census.

PER CAPITA USE. The use of all fishery products, both edible and nonedible, in the United States divided by the total population of the United States.

PRELIMINARY FISHERY MANAGEMENT PLAN (PMP). The Secretary of Commerce prepares a PMP whenever a foreign nation with which the United States has made a Governing International Fishery Agreement (GIFA) submits an application to fish in a fishery not managed by an FMP. A PMP is replaced by an FMP as soon as the latter is implemented. A PMP applies only to foreign fishing.

RE-EXPORTS. Re-exports are commodities which have entered the U.S. as imports and are subsequently exported in substantially the same condition as when originally imported.

RETAIL PRICE. The price of fish and shellfish sold to the final consumer by food stores and other retail outlets.

ROUND (LIVE) WEIGHT. The weight of fish, shellfish, or other aquatic plants and animals as taken from the water; the complete or full weight as caught. The tables on world catch found in this publication include, in the case of mollusks, the weight of both the shells and the meats, whereas the tables on U.S. landings include only the weight of the meats.

SURIMI. Minced fish meat (usually Alaska pollock) which has been washed to remove fat and undesirable matters (such as blood, pigments, and odorous substances), and mixed with cryoprotectants, such as sugar and/or sorbitol, for a good frozen shelf life.

TOTAL ALLOWABLE LEVEL OF FOREIGN FISHING (TALFF). The TALFF, if any, with respect to any fishery subject to the exclusive fishery management authority of the United States, is that portion of the optimum yield of such fishery which will not be harvested by vessels of the United States, as determined by provisions of the MFCMA.

U.S. EXCLUSIVE ECONOMIC ZONE (EEZ). The MSFCMA (Magnuson-Stevens Act) defines this zone as contiguous to the territorial sea of the United States and extending seaward 200 nautical miles measured from the baseline from which the territorial sea is measured. This was formerly referred to as the FCZ (Fishery Conservation Zone).

U.S.-FLAG VESSEL LANDINGS. Includes landings by all U.S. fishing vessels regardless of where landed as opposed to landings at ports in the 50 United States. These include landings at foreign ports, U.S. territories, and foreign vessels in the U.S. FCZ under joint venture agreements. U.S. law prohibits vessels constructed or registered in foreign countries to land fish catches at U.S. ports.

U.S. TERRITORIAL SEA. A zone extending 3 nautical miles from shore for all states except Texas and the Gulf Coast of Florida where the seaward boundary is 3 marine leagues (9 nautical miles)

USE OF FISHERY PRODUCTS. Estimated disappearance of the total supply of fishery products, both edible and nonedible, on a round-weight basis without considering beginning or ending stocks, exports, military purchases, or shipments to U.S. territories.

VESSEL. A commercial fishing craft having a capacity of 5 net tons or more. These craft are either enrolled or documented by the U.S. Coast Guard and have an official number assigned by that agency.

WHOLESALE FISH AND SHELLFISH PRICES. Those prices received at principal fishery markets by primary wholesalers (processors, importers, and brokers) for customary quantities, free on board (f.o.b.) warehouse.

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Federal Inspection Marks for Fishery Products

SEAFOOD INSPECTION PROGRAM. (NOAA) oversees fisheries management in the United States. Under authority in the 1946 Agricultural Marketing Act, the NOAA Seafood Inspection Program provides inspection services for fish, shellfish, and fishery products to the industry. The NOAA Seafood Inspection Program is often referred to as the U.S. Department of Commerce (USDC) Seafood Inspection Program and uses marks and documents bearing the USDC moniker. The NOAA Seafood Inspection Program offers a variety of services which assure compliance with all applicable food regulations. The Program offers sanitation inspection as well as system and process auditing in facilities, on vessels, or other processing establishments in order to be designated as official establishments. Product quality evaluation, grading and certification services are available on a product lot basis. Certain products may be eligible to bear official marks, such as the U.S. Grade A, Processed Under Federal Inspection (PUFI) and Lot Inspection. All edible product forms ranging from whole fish to formulated products, as well as fish meal products used for animal foods, are eligible for inspection and certification. The U.S. Department of Agriculture recommends that USDC inspected fishery products be purchased for its food feeding programs. The **USDC PARTICIPANTS LIST FOR FIRMS, FACILITIES AND PRODUCTS** provides a listing of products and participants who contract with USDC.

USERS OF INSPECTION SERVICES. The users of the voluntary seafood inspection service include vessel owners, processors, distributors, brokers, retailers, food service operators, exporters, importers, and those who have a financial interest in buying and selling seafood products. These services can be provided nationwide, in U.S. territories, and in foreign countries. The program is a competent authority within the U.S. Government for issuance of health certificates for export of fish and fishery products to foreign countries. The official government forms and certificates issued by USDC inspectors are legal documents recognized in any U.S. court.

USDC INSPECTION MARKS. These marks designate the level and the type of inspection performed by the federal inspector. The marks can be used in advertising and labeling under the guidelines provided by the Seafood Inspection Program and in accordance with federal and state regulations regarding advertising and labeling. Products bearing the USDC official marks have been certified as being safe, wholesome, and properly labeled.

US GRADE A MARK. The U.S. GRADE A mark signifies that a product has been processed under federal inspection in a sanitarily approved facility and meets the established level of quality of an existing U.S. grade standard. The U.S. Grade A mark indicates that the product is of high quality, uniform in size, practically free from blemishes and defects, in excellent condition and possessing good flavor and odor.

PROCESSED UNDER FEDERAL INSPECTION MARK. The PUFI mark or statement signifies that the product is certified to be safe, wholesome and properly labeled, conforms to quality and other criteria in the approved specification, and has been officially inspected in a participating establishment under Federal inspection.

LOT INSPECTED MARK. The USDC Lot Inspected mark identifies products that were officially sampled and inspected to conform to an approved specification or criteria. This mark may be used on retail packages and packaging provided the label and specification are approved.

RETAIL MARK. Participants qualify to utilize the Retail Mark by contracting for sanitation services and associated product evaluation. Use of the retail mark gives retail firms the opportunity to advertise on banners, logos, and/or menus that their facility is recognized by the USDC for proper sanitation and handling of fishery products.



USDC HACCP MARK. The USDC HACCP-based service is available to all interested parties on a fee-for-service basis. Label approval, record keeping and analytical testing are program requirements. An industry USDC-certified employee trained in HACCP principles is also required for each facility/site in the program. Compliance ratings determine frequency of official visits. Benefits to participants include increased controls through a more scientific approach, use of established marks, increased efficiency of federal inspection personnel, and enhanced consumer confidence. The USDC has made available a HACCP mark and a "banner" to distinguish products that have been produced under the HACCP-based program. The HACCP mark may be used alone or in conjunction with existing grade marks to distinguish that the product was produced under the HACCP Quality Management Program. Participants receive the marketing benefits of using the HACCP mark on brochures, banners, and company labels.

FOR FURTHER INFORMATION:

U.S. Department of Commerce, NOAA/NMFS
Seafood Inspection Program - F/SI
1315 East-West Highway
Silver Spring, MD 20910
(301) 427-8300 (FAX: 713-1081)
Toll Free: 800-422-2750
Internet: www.seafood.nmfs.noaa.gov