

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

<p>1. Agency/Subagency originating request</p>	<p>2. OMB control number b. <input type="checkbox"/> None a. _____ - _____</p>
<p>3. Type of information collection (<i>check one</i>)</p> <p>a. <input type="checkbox"/> New Collection</p> <p>b. <input type="checkbox"/> Revision of a currently approved collection</p> <p>c. <input type="checkbox"/> Extension of a currently approved collection</p> <p>d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired</p> <p>e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired</p> <p>f. <input type="checkbox"/> Existing collection in use without an OMB control number</p> <p>For b-f, note Item A2 of Supporting Statement instructions</p>	<p>4. Type of review requested (<i>check one</i>)</p> <p>a. <input type="checkbox"/> Regular submission</p> <p>b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____</p> <p>c. <input type="checkbox"/> Delegated</p>
	<p>5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>6. Requested expiration date</p> <p>a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____</p>
<p>7. Title</p>	
<p>8. Agency form number(s) (<i>if applicable</i>)</p>	
<p>9. Keywords</p>	
<p>10. Abstract</p>	
<p>11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>)</p> <p>a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms</p> <p>b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government</p> <p>c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government</p>	<p>12. Obligation to respond (<i>check one</i>)</p> <p>a. <input type="checkbox"/> Voluntary</p> <p>b. <input type="checkbox"/> Required to obtain or retain benefits</p> <p>c. <input type="checkbox"/> Mandatory</p>
<p>13. Annual recordkeeping and reporting burden</p> <p>a. Number of respondents _____</p> <p>b. Total annual responses _____</p> <p> 1. Percentage of these responses collected electronically _____%</p> <p>c. Total annual hours requested _____</p> <p>d. Current OMB inventory _____</p> <p>e. Difference _____</p> <p>f. Explanation of difference</p> <p> 1. Program change _____</p> <p> 2. Adjustment _____</p>	<p>14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>)</p> <p>a. Total annualized capital/startup costs _____</p> <p>b. Total annual costs (O&M) _____</p> <p>c. Total annualized cost requested _____</p> <p>d. Current OMB inventory _____</p> <p>e. Difference _____</p> <p>f. Explanation of difference</p> <p> 1. Program change _____</p> <p> 2. Adjustment _____</p>
<p>15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p>a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management</p> <p>b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research</p> <p>c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance</p> <p>d. <input type="checkbox"/> Audit</p>	<p>16. Frequency of recordkeeping or reporting (<i>check all that apply</i>)</p> <p>a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure</p> <p>c. <input type="checkbox"/> Reporting</p> <p> 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly</p> <p> 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually</p> <p> 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____</p>
<p>17. Statistical methods</p> <p>Does this information collection employ statistical methods</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>18. Agency Contact (person who can best answer questions regarding the content of this submission)</p> <p>Name: _____</p> <p>Phone: _____</p>

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek
Departmental Paperwork Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6625
Washington, DC 20230

07/01/2004

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 05/25/2004.

TITLE: Atlantic Highly Migratory Species Permit Family of Forms

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0327

EXPIRATION DATE: 06/30/2005

BURDEN:	RESPONSES	HOURS	COSTS (\$,000)
Previous	23,359	4,668	631
New	24,319	4,748	727
Difference	960	80	96
Program Change		80	96
Adjustment		0	0

TERMS OF CLEARANCE: None

OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

**SUPPORTING STATEMENT
HIGHLY MIGRATORY SPECIES PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0327**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

This Supporting Statement is submitted as part of a PRA request for an information collection approval for the Highly Migratory Species International Trade Permit (HMS ITP). This permit will be added to Control No. 0648-0327, currently known as *Atlantic Highly Migratory Species Vessel Permits* to broaden the scope of this package and establish it as the *Highly Migratory Species (HMS) Permit Family of Forms*.

Several separate dealer permitting requirements regarding the trade of highly migratory species will be removed from other PRA collections and combined under the HMS ITP (Table 1) in order to improve NOAA Fisheries coordination of international trade tracking programs. In addition, new dealer permitting requirements for international trade of bigeye tuna (BET), southern bluefin tuna (SBT) and export of swordfish (SWO) will be included under the HMS ITP as well. Please see Table 1 for a summary of the scope of the HMS ITP.

Table 1. Summary of activities that will be covered by the new HMS ITP. The previous requirements that applied to these activities are also identified, with the applicable PRA package, and estimated number of individuals affected.

Activity	Previous Dealer Requirement (PRA pkg)	New Dealer Requirement
NATIONWIDE		
Swordfish Import	Swordfish Dealer Permit (0648-0205)	HMS ITP
Swordfish Export/Re-export	None	HMS ITP
Southern Bluefin Tuna (SBT) Import/ Export/ Re-export	None	HMS ITP
ATLANTIC		
Bluefin Tuna (BFT) Import/ Export/ Re-export	Atlantic Tuna Dealer Permit (0648-0202)	HMS ITP
Bigeye Tuna (BET) Import/ Export/ Re-export	None	HMS ITP

Activity	Previous Dealer Requirement (PRA pkg)	New Dealer Requirement
PACIFIC		
BFT Import/ Export/ Rexport	Pacific BFT Dealer Permit (0648-0202)	HMS ITP
BET Import/ Export/ Rexport	None	HMS ITP

Permitting of U.S. dealers that participate in international trade of HMS species is necessary for a number of reasons. In general, the purpose and use of permits is to (1) identify fish dealers and the characteristics of their operations; (2) exercise influence over compliance (e.g. impose permit sanctions pending collection of required reports or unpaid penalties); (3) provide a mailing list for the dissemination of important information to the industry; and (4) provide a universe for data collection samples. A primary function of the HMS ITP is to identify dealers involved in international trade and ensure that internationally required trade tracking programs, which include dealer reporting, are successfully implemented.

Trade tracking programs are required by both the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the Inter-American Tropical Tuna Commission (IATTC). The overall goal of these programs is to reduce illegal, unreported and unregulated fishing for particular species, and improve management of associated fisheries. They are designed to account for all international trade of these particular species by requiring that a statistical document accompany each export from and import into a member nation. In this way, markets will be closed to non-participating nations.

The United States is a member of ICCAT and authorized by the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. §971; Attachment 1) to promulgate regulations as may be necessary and appropriate to implement recommendations adopted by ICCAT. ICCAT has adopted a recommendation mandating the implementation of a statistical document (SD) trade tracking program for bluefin tuna (BFT, Attachment 2), BET (Attachment 3), and SWO (Attachment 4). The BFT SD program has already been implemented domestically. U.S. dealers involved in international trade for BFT have been required to obtain an Atlantic Tunas Dealer Permit (ATDP) or Pacific Tuna Dealers Permit (PTDP; Control No. 0648-0202) in the past. These activities will now be covered by the HMS ITP; the ATDP will cover only domestic dealers in the future, and the PTDP will be discontinued. The HMS ITP will also cover dealers who internationally trade in BET and SWO, in order to implement ICCAT's newly recommended SD programs for BET and SWO. The SWO SD program will replace ICCAT's previously required Certificate of Eligibility Program (Control No. 0648-0363), and the HMS ITP will replace the need for a SWO Dealer Permit (Control No. 0648-0205) for SWO import (Table 1). In the future, the SWO Dealer Permit will be necessary only for certain types of domestic SWO transactions.

The United States is also a member of the IATTC, and authorized under the Tunas Convention Act (16 U.S.C. §955)(TCA, Attachment 5) to implement resolutions approved by IATTC. IATTC has approved a trade tracking program for BET (Attachment 6). As discussed above, the HMS ITP will cover international trade of all BET.

The HMS ITP will also be required for dealers who internationally trade in SBT. To ensure effective implementation and enforcement of ICCAT's BFT SD program, SBT dealers would be required to participate in a trade tracking program [implemented by the Commission for the Conservation of Southern Bluefin Tuna (CCBST)], to ensure that imported Atlantic and Pacific BFT cannot be intentionally mislabeled as SBT in order to circumvent reporting requirements.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The HMS ITP will be issued annually, or more frequently if changes are requested by the applicant. The reporting instrument is the *Application for a Highly Migratory Species International Trade Permit* (Attachment 7). The application requests the following information:

Company Name

Owner's Name

Federal I.D. number

Company Dun & Bradstreet D-U-N-S Number

Street Address

City, State, Zip code

Telephone & FAX numbers

Other addresses for the company, including telephone & FAX numbers

Other NOAA Fisheries dealer permit names and numbers

Owner's Signature

Date of Signature

NOAA Fisheries will use the information collected on the HMS ITP application (name, address, applicable fisheries) in a number of ways. Establishing this permit will develop a database of permit holders for NOAA Fisheries to correspond with regarding reporting requirements and regulatory changes. Implementation of international reporting requirements is the primary reason for creating the HMS ITP. Mailing lists derived from this database will assist NOAA Fisheries in contacting all dealer constituents with notices of future trade restrictions or other regulatory changes, and other important information. Dealer information can be used by NOAA Fisheries or U.S. Coast Guard enforcement agents to check for regulatory infractions regarding reporting requirements. In addition, NOAA scientists and economists may use this database as a basis for gathering information for use in future fishery management planning.

Although the information collected is not expected to be disseminated directly to the public, it may be used in the development or review of fishery management plans, and is therefore subject to NOAA's Information Quality Guidelines. As explained in the preceding paragraphs, the

information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See Item #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

This collection of information will allow the application to be electronically form fillable and printed off the internet; however the applicant must return it via U.S. mail. The use of electronic submissions is being investigated for use in permit applications, and will be available in the near future. The availability of electronic permit applications will reduce the overall cost and administrative burden to the public by providing an internet accessible web page where the application can be filled out and submitted electronically, with immediate access to a printed permit. Paper permit applications will continue to be accepted after the electronic option is available.

4. Describe efforts to identify duplication.

In the Regulatory Impact Review/Initial Regulatory Flexibility Analysis (RIR/IRFA) that supports the proposed rule for implementing the international reporting requirements associated with this collection (see Item 1), alternatives to the HMS ITP were evaluated in part to avoid duplication and overlap. In particular, the potential of expanding current species-specific permits to cover dealers that export SWO, and import or export BET was considered. Implementation of the HMS ITP was chosen because it provides a distinct permit separate from permits associated with domestic, “first-receiver” transactions and associated reporting requirements. Although some dealers operate in both international and domestic transactions and will be required to obtain more than one permit (overlap), the distinction between domestic and trade permit programs (rather than building onto a species specific permit system) was determined to be the most effective approach since it eliminated any reporting requirements that only applied to domestic transactions and coordinated all international dealers under one permit. None of the dealer permits cover the exact same activity, so duplication has been avoided.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Small businesses will be the respondents of this data collection. Dealers that operate solely in international trade will now only be required to obtain one permit, regardless of the number of species they trade in. In the past, a separate permit was required for trade of BFT and SWO imports. As discussed under Item 4, this should eliminate inapplicable reporting requirements

associated with domestic transactions. In addition, electronic reporting will be implemented as discussed in Item 3.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Permitting enables NMFS to monitor trade activity which is necessary to implement the recommendations of ICCAT and IATTC as required by ATCA and TCA. If the trade permit were not implemented, NOAA Fisheries could not implement the trade monitoring program, which would violate the United States' international obligations and domestic law. If U.S. dealers involved in international trade do not implement necessary requirements of the trade program, such as statistical documents for SWO, BET, and BFT, their product could be denied entry into international markets.

Permits are renewed annually in order to maintain an up-to-date list of active dealers for coordinating the international trade program and associated mandatory reporting requirements. ICCAT and IATTC require annual reports regarding status of international trade in the affected species. Maintaining an up-to-date database of permit holders assists NOAA Fisheries in providing accurate trade data to comply with ICCAT and IATTC recommendations.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

OMB requirements will be followed.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The Federal Register notice that solicited public comment on this collection is attached (Attachment 8). No public comments were received in response to this notice. The HMS Advisory Panel was briefed about the international trade program at the February 2003 annual meeting. Comments regarding implementation of the HMS ITP will also be solicited during the comment period for the proposed rule and draft RIR/IRFA.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts are to be offered as part of this information collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Pursuant to Section 402(b) of the Magnuson-Stevens Act, and consistent with NOAA Administrative Order 216-100 (Confidentiality of Fisheries Statistics), the Agency does not release confidential information submitted in compliance with provisions of the Act, other than in aggregate form and under circumstances required or authorized by law. Whenever data are requested or released to the general public, the Agency ensures that information on the pecuniary business activity of a dealer is not identified

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No information of a sensitive nature is requested in this collection of information.

12. Provide an estimate in hours of the burden of the collection of information.

The number of respondents for this collection is the number of individuals that must obtain the new HMS International Trade Permit, including dealers that import, export, and/or re-export the following species: BFT, BET, and/or SWO (Atlantic or Pacific). Some of these functions are already covered by permits currently in place, for example, the Atlantic Tunas Dealer Permit (ATDP) covers Atlantic BFT international trade in addition to purchase of BFT from domestic vessels. With the advent of the HMS ITP, dealers who only deal in BFT trade will no longer be required to obtain the ATDP, and will be required to obtain the HMS ITP instead. A summary of the changes to current collections is included in Table 1 and this issue is discussed further in Section 1.

The total number of dealers that will be required to obtain the HMS ITP (number of respondents) is estimated to be 960. This figure is expected to be an over-estimate since the total number of dealers who currently possess the SWO Dealer Permit and Atlantic Tuna Dealer Permit are included in the estimate. Each of these permits also covers dealers that purchase SWO and tuna domestically, and at least some of these dealers are expected to deal only in domestic transactions. Upon implementation of the rule accompanying this PRA package, the number of dealers operating solely in domestic or international transactions will be more clearly defined, and estimated number of respondents should decrease when this collection is renewed. Estimated number of respondents is also expected to decrease for the SWO Dealer Permit (under 0648-0205) and Atlantic Tuna Dealer Permit (under 0648-0202).

Table 2. Summary of activities covered by the HMS ITP including importing (imp), exporting and re-exporting (exp). The number of dealers that will need to purchase the HMS ITP are estimated (number of respondents), and the methodology for estimating number of respondents is explained.

Activity Covered by HMS ITP	Number of Respondents	Method for Estimating Number of Respondents
NATIONWIDE		
SWO Imp	315	Used number of current SWO dealer permits (covers domestic purchase of Atlantic SWO from vessels <i>and</i> SWO import)
SWO Exp	30	Estimated no. of dealers exporting SWO but not importing or purchasing domestically
ATLANTIC		
BFT & SBFT Imp/Exp	522	Used number of current Atlantic Tuna Dealer Permits (covers international trade of Atlantic BFT and domestic purchase of all regulated Atlantic tuna)
BET Imp/Exp	42	Estimated no. of dealers internationally trading Atlantic BET but not purchasing BET domestically
PACIFIC		
BFT & SBFT Imp/Exp	39	Number of current Pacific Tuna Dealer Permits (covers international trade of Pacific BFT)
BET Imp/Exp	12	Estimated number of dealers internationally trading Pacific BET
TOTAL	960	

Dealers will be required to obtain the initial permit, and then renew their permit annually. Both of these applications take an estimated 5 minutes to complete. Therefore the total reporting burden for this collection is **960 respondents x .083 hrs/response = 79.7 hours**. At a wage rate of \$15.00 per hour, the total cost to the public for completing this application is **79.7 x \$15.00 = \$1,195.50**.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

An administrative cost recovery fee of \$100 per new permit is charged for dealer permits (0648-0205) by the NOAA Fisheries Southeast Region, so it is estimated that the HMS ITP will cost approximately the same. Therefore, the total cost of the permits to the public is estimated to be \$100 x 960 permits = \$96,000. Mailing the application in will require postage of \$.37 x 960 = \$355.20. Total cost to the public is estimated to be approximately **\$96,355**.

14. Provide estimates of annualized cost to the Federal government.

Since the cost of the permits will be reimbursed by an administrative cost recovery fee, there will be no cost to the Federal government.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

The HMS ITP is a new requirement, so the burden associated with it would be considered a program change.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The total number of HMS ITP holders will be estimated annually and provided in the annual SAFE (Stock Assessment and Evaluation) Report for highly migratory species. This document will be available to the public in either hard copy or as a PDF file on the HMS Division home page.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The expiration date will be displayed.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions to the certification statement identified in Item 19 of the OMB 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods such as sampling.

Attachments:

Attachment 1 - ATCA

Attachment 2 - ICCAT Recommendation for BFT Re-export Certificate

Attachment 3 - ICCAT Recommendation for BET Statistical Document

Attachment 4- ICCAT Recommendation for SWO Statistical Document

Attachment 5 - TCA

Attachment 6 - IATTC BET Recommendation

Attachment 7 - HMS ITP

Attachment 8 - Federal Register Notice



-CITE-

16 USC Sec. 971d

01/22/02

-EXPCITE-

TITLE 16 - CONSERVATION

CHAPTER 16A - ATLANTIC TUNAS CONVENTION

-HEAD-

Sec. 971d. Administration

-STATUTE-

(a) Regulations; cooperation with other parties to Convention; utilization of personnel, services, and facilities for enforcement

The Secretary is authorized and directed to administer and enforce all of the provisions of the Convention, this chapter, and regulations issued pursuant thereto, except to the extent otherwise provided for in this chapter. In carrying out such functions the Secretary is authorized and directed to adopt such regulations as may be necessary to carry out the purposes and objectives of the Convention and this chapter, and with the concurrence of the Secretary of State, he may cooperate with the duly authorized officials of the government of any party to the Convention. In

addition, the Secretary may utilize, with the concurrence of the Secretary of the department in which the Coast Guard is operating insofar as such utilization involves enforcement at sea, with or without reimbursement and by agreement with any other Federal department or agency, or with any agency of any State, the personnel, services, and facilities of that agency for enforcement purposes with respect to any vessel in the exclusive economic zone, or wherever found, with respect to any vessel documented under the laws of the United States, and any vessel numbered or otherwise licensed under the laws of any State. When so utilized, such personnel of the States of the United States are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purposes of any laws administered by the Director of the Office of Personnel Management.

- RECOMMENDATION -
IMPLEMENTATION OF BTSD PROGRAM: RE-EXPORTS

**TITLE: *Recommendation by ICCAT Concerning the Implementation of the
ICCAT Bluefin Tuna Statistical Document Program on Re-export***
(Transmitted to Contracting Parties: **December 12, 1997**)

RECOGNIZING that the ICCAT Bluefin Tuna Statistical Document Program has been working quite effectively to collect statistical information on catches of Atlantic bluefin tuna by non-contracting parties, entities or fishing entities;

RECOGNIZING that the need for establishing a re-export system within the ICCAT Bluefin Tuna Statistical Document Program is increasing in Contracting Parties;

ALSO RECOGNIZING that it is necessary to establish a re-export system within the ICCAT Bluefin Tuna Statistical Document Program in order to ensure the smooth international trade of bluefin tuna products without diminishing the effectiveness of the Program, which aims to collect statistical information on catches of Atlantic bluefin tuna through international trade:

BEARING IN MIND that paragraph (d) of the 1994 Resolution by ICCAT Concerning the Effective Implementation of the ICCAT Bluefin Tuna Statistical Document Program requests non-contracting parties, entities or fishing entities which are major importers of bluefin tuna to cooperate with the implementation of the Program and to provide the Commission with data obtained from such implementation:

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 A Contracting Party shall be free to validate ICCAT Bluefin Tuna Re-export Certificates (a sample is attached as **Attachment 1**) for bluefin tuna imported by that Contracting Party, to which ICCAT Bluefin Tuna Statistical Documents or ICCAT Bluefin Tuna Re-export Certificates are attached. ICCAT Bluefin Tuna Re-export Certificates shall be validated by government organizations or by recognized institutions which are accredited by a Contracting Party's government to validate the ICCAT Bluefin Tuna Statistical Document. A copy of the original Bluefin Tuna Statistical Document accompanying the imported bluefin tuna must be attached to an ICCAT Bluefin Tuna Re-export Certificate. The copy of the original Bluefin Tuna Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the ICCAT Bluefin Tuna Statistical Document. When re-exported bluefin tuna is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that bluefin tuna upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the ICCAT Bluefin Tuna Statistical Document.
- 2 ICCAT Contracting Parties which import bluefin tuna shall accept Re-export Certificates validated in accordance with the procedure set forth in paragraph 1 with attachments of all verified copies as required in paragraph 1.
- 3 ICCAT Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 1 shall require from the re-exporting bluefin dealer necessary documents (e.g. written sales contracts) which are to certify that the bluefin tuna to be re-exported corresponds to the imported bluefin tuna. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
- 4 Contracting Parties which import re-exported bluefin tuna shall report import data obtained from Re-export Certificates to the Executive Secretary each year by April 1 for the period of July 1 - December 31 of the preceding year and by October 1 for the period of January 1 - June 30 of the current year, which shall be circulated to all Contracting Parties by the ICCAT Executive Secretary. The format of this report shall be that

as described in **Attachment 2**.

- 5 Contracting Parties shall be free to accept Re-export Certificates validated by a non-contracting [party, entity, or fishing entity] which has established an import scheme of the ICCAT Bluefin Tuna Statistical Document Program and implements it in accordance with this recommendation and paragraph (d) of the 1994 Resolution by ICCAT Concerning the Effective Implementation of the ICCAT Bluefin Tuna Statistical Document Program.

DOCUMENT NUMBER		ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
<i>Product F/FR</i>	<i>Type RD/GG/DR/FL/OT</i>	<i>Net Weight (kg)</i>	<i>Flag country/ Entity/Fishing entity</i>	<i>Date of import</i>
F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Gutted, DR=Dressed, FL=Fillet, OT=Other (Describe the type of product)				
4. DESCRIPTION OF FISH FOR RE-EXPORT				
<i>Product F/FR</i>	<i>Type RD/GG/DR/FL/OT</i>	<i>Net Weight (kg)</i>		
F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Gutted, DR=Dressed, FL=Fillet, OT=Other (Describe the type of product)				
5. RE-EXPORTER CERTIFICATION:				
I certify that the above information is complete, true, and correct to the best of my knowledge and belief.				
Name	Address	Signature	Date	License # (if applicable)
6. GOVERNMENT VALIDATION:				
I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Name & Title	Signature	Date	Government Seal	
IMPORT SECTION:				
IMPORTER CERTIFICATION: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Name	Address	Signature	Date	License # (if applicable)
Name	Address	Signature	Date	License # (if applicable)
Name	Address	Signature	Date	License # (if applicable)
(FINAL) POINT OF IMPORT:				
City	State/Province	Country/Entity/Fishing Entity		

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE INSTRUCTION SHEET

Under the framework of the ICCAT Bluefin Tuna Statistical document Program, a request for the establishment of a system enabling re-export was growing recently. In 1997, a Recommendation was adopted to implement the ICCAT Bluefin Tuna statistical Document Program for Re-export. Pursuant to this Recommendation, bluefin tuna dealers who import re-exported*1 bluefin tuna to Japan will be required to submit an ICCAT Bluefin tuna Re-export Certificate*2 to be validated by a government official of the intermediate country or area*3, or by a recognized institution, such as a Chamber of Commerce and Industry, accredited by the government of the intermediate country or area. A copy of the original Bluefin Tuna Statistical Document (BTSD) accompanying the bluefin tuna at the time of importation must be attached to the Re-export Certificate. The copy of the original BTSD so attached must be verified by a government official of the intermediate country or area, or by a recognized institution, such as a Chamber of Commerce and Industry, accredited by the government of the intermediate country or area. When re-exported bluefin tuna are again re-exported*4, all copies of documents, including a verified copy of a BTSD and Re-export Certificate which accompanied that bluefin tuna must be attached to a new Re-export Certificate to be validated by a government official of the last intermediate country or area, or by a recognized institution, such as a Chamber of Commerce and Industry, accredited by the government of the last intermediate country or area. Only bluefin tuna accompanied by a complete and valid Re-export Certificate will be allowed to enter Japan. Shipments of re-exported bluefin tuna accompanied by an improperly documented*5 Re-export Certificate will be considered illegitimate shipments of re-exported bluefin that are contrary to ICCAT conservation efforts, and their entry into Japan will be suspended pending receipt of a properly documented Re-export Certificate.

NOTE:

- *1 "Re-export" means that bluefin tuna passes through a country or an area (tax-exempted areas are excluded) after being exported from the flagship country or the area (tax-exempted areas are excluded) of the fishing vessel which has caught that bluefin tuna.
- *2 Hereinafter called "Re-export Certificate".
- *3 "An intermediate country or area" means a country or an area through which bluefin tuna pass after being exported from the flagship country or the area (tax-exempted areas are excluded) of the fishing vessel which has caught that bluefin tuna.
- *4 Re-export of bluefin tuna from one Member State of the European Union to another is exempted.
- *5 "Improperly documented" means that the Re-export Certificate is either missing from the shipment, incomplete, invalid, or falsified.

Please use this instruction sheet as a guideline to complete that section of the Bluefin Tuna Re-export Certificate that applies to Exporters, Importers, and Government Validation. If a language other than English is used in completing the form, please add the English translation on the Certificate. NOTE: IF A BLUEFIN TUNA PRODUCT IS RE-EXPORTED DIRECTLY TO JAPAN, WITHOUT FIRST GOING THROUGH AN INTERMEDIATE COUNTRY/ENTITY/FISHING ENTITY, ALL FISH CAN BE IDENTIFIED ON ONE CERTIFICATE. HOWEVER, IF THE BLUEFIN TUNA PRODUCT IS RE-EXPORTED THROUGH AN INTERMEDIATE COUNTRY/ENTITY/FISHING ENTITY (i.e. A COUNTRY/ENTITY/FISHING ENTITY OTHER THAN THE COUNTRY/ENTITY/FISHING ENTITY WHICH IS THE FINAL DESTINATION OF THE PRODUCT), A SEPARATE CERTIFICATE MUST BE PREPARED FOR DIFFERENT FINAL DESTINATIONS OR EACH FISH MAY BE ACCOMPANIED BY A SEPARATE CERTIFICATE TO IDENTIFY ANY POSSIBLE SEPARATION OF SHIPMENTS BY AN INTERMEDIATE COUNTRY/ENTITY/FISHING ENTITY. THE IMPORT OF FISH PARTS OTHER THAN THE MEAT, i.e. HEADS, EYES, ROE, GUTS, TAILS MAY BE ALLOWED WITHOUT THE CERTIFICATE.

INSTRUCTIONS

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the bluefin tuna in the shipment and issued this Certificate. According to the ICCAT Recommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the bluefin tuna was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the bluefin tuna in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF RE-EXPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTED CERTIFICATION

The person or company re-exporting the bluefin tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be in the employment of the competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate. This requirement may be waived according to the ICCAT RESOLUTION CONCERNING VALIDATION BY AN GOVERNMENT OFFICIAL OF THE BLUEFIN STATISTICAL DOCUMENT.

(7) IMPORTER CERTIFICATION

The person or company that imports bluefin tuna must provide his/her name, address, signature, date the bluefin tuna was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

**BIANNUAL REPORT OF THE ICCAT BLUEFIN
TUNA RE-EXPORT CERTIFICATE**

Period: _____ to _____, _____ Import Country: _____
 (Month) (Month) (Year)

Flag Country	Re-export Country	Point of Export	Product Type		Product Weight (kg)
			F/FR	RD/GG/DR/FL/OT	

- RECOMMENDATION -
ESTABLISHING BET STATISTICAL PROGRAM

TITLE: *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program*

(Entered into force: **September 21, 2002**)

RECALLING the *Recommendation by ICCAT on Establishing Statistical Document Programs for Swordfish, Bigeye Tuna and Other Species Managed by ICCAT* adopted by the Commission in 2000 in which the full implementation of the program was required by 1 January 2002, or as soon as possible thereafter;

AWARE that there is uncertainty of the catch of Atlantic bigeye tuna and that the availability of trade data would greatly assist in reducing such uncertainty;

RECOGNIZING that Atlantic bigeye tuna is the main target species of IUU fishing operations and that most of the bigeye harvested by such IUU fishing vessels are exported to Contracting Parties, especially to Japan;

RECALLING the *Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area* and the *Recommendation by ICCAT Regarding Equatorial Guinea Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area* adopted by the Commission in 2000;

RECOGNIZING that the Statistical Document Program is an effective tool to assist the Commission's effort for the elimination of IUU fishing operations;

RECOGNIZING the nature of the international market for Atlantic bigeye tuna;

THE INTERNATIONAL COMMISSION FOR THE
CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT;

1. Contracting Parties, by July 1, 2002 or as soon as possible thereafter, require that all bigeye tuna, when imported into the territory of a Contracting Party, be accompanied by an ICCAT Bigeye Tuna Statistical Document which meets the requirements described in **Annex 1** or an ICCAT Bigeye Tuna Re-export Certificate which meets the requirements described in **Annex 2**. Bigeye tuna caught by purse seiners and pole and line (bait) vessels and destined principally for the canneries in the Convention area are not subject to this statistical document requirement. The Commission and the Contracting Parties importing bigeye tuna shall contact all the exporting countries to inform them of this program, in advance of implementation of the program.
2. (1) The ICCAT Bigeye Tuna Statistical Document must be validated by a government official, or other authorized individual or institution, of the flag state of the vessel that harvested the tuna, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state;
- (2) The ICCAT Bigeye Tuna Re-export Certificate must be validated by a government official or other authorized individual of the state that re-exported the tuna; and
- (3) The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for both validations in this Bigeye Statistical Document Program. The substitutional measure should also apply *mutatis mutandis* to chartering arrangements as provided in paragraph 2(1) above.
3. Each Contracting Party shall provide to the Executive Secretary sample forms of its statistical document and re-export certificate required with bigeye tuna imports and information on validation in the format specified

in **Annex 4** and inform him of any change in a timely fashion.

4. The Contracting Parties which export or import bigeye tuna shall compile data from the Program.
5. The Contracting Parties which import bigeye tuna shall report the data collected by the Program to the Executive Secretary each year by April 1 for the period of July 1-December 31 of the preceding year and October 1 for the period of January 1-June 30 of the current year, which shall be circulated to all the Contracting Parties by the Executive Secretary. The formats of the report are attached as **Annex 3**.
6. The Contracting Parties which export bigeye tuna shall examine export data upon receiving the import data mentioned in paragraph 5 above from the Executive Secretary, and report the results to the Commission in the national reports.
7. The Contracting Parties should exchange copies of statistical documents and re-export certificates to facilitate the examination mentioned in paragraph 6, consistent with domestic laws and regulations.
8. The Commission shall request Cooperating Non-Contracting Parties, Entities, Fishing Entities to take the measures described in the above paragraphs.
9. The Executive Secretary shall request information on validation from all the non-Contracting Parties fishing and exporting bigeye tuna to Contracting Parties, and request them to inform him in a timely fashion of any changes to the information provided.
10. The Executive Secretary shall maintain and update information specified in paragraphs 3 and 9 and provide it to all the Contracting Parties, and promptly circulate any changes.
11. The Commission shall request the non-Contracting Parties which import bigeye tuna to cooperate with implementation of the Program and to provide to the Commission data obtained from such implementation.
12. Implementation of this Program shall be in conformity with relevant international obligations.
13. At the initial stage of the program, the statistical documents and the re-export certificates will be required for frozen bigeye products. Prior to implementing this Program for fresh products, several practical problems need to be solved, such as guidelines to ensure procedures to handle fresh products at customs.
14. The provisions of the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Documents by the European Community*, adopted by the Commission in 1998, shall apply to the Bigeye Tuna Statistical Document Program for bigeye caught by vessels that fly the flag of a Member State of the European Community.
15. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the Contracting Parties shall implement this recommendation by July 1, 2002 or as soon as possible thereafter in accordance with the regulatory procedures of each Contracting Party.

**Requirements Concerning
the ICCAT Bigeye Tuna Statistical Document**

1. The sample form of the ICCAT Bigeye Tuna Statistical Document shall be as in the **Appendix**.
2. Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Bigeye Tuna Statistical Document for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
3. Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
4. Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Statistical Documents (i.e., improperly documented means that the Bigeye Tuna Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
5. The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	ICCAT BIGEYE TUNA STATISTICAL DOCUMENT		
EXPORT SECTION			
1.FLAG OF COUNTRY/ENTITY/FISHING ENTITY			
2.NAME OF VESSEL AND REGISTRATION NUMBER (when available)			
3.TRAPS (if applicable)			
4.POINT OF EXPORT(City, State / Province, Country / Entity / Fishing Entity)			
5.AREA OF CATCH (check one of the following) <ul style="list-style-type: none"> • (a) Atlantic • (b) Pacific • (c) Indian * In case of (b) or (c) checked, the items 6 and 7 below do not need to be filled out.			
6.DESCRPTION OF FISH			
Product Type (*1)		Gear Code(*2)	Net Weight
F/FR	RD/GG/DR/FL/OT		(Kg)
1= F=Fresh, FR=Frozen, RD=Round, GG=Gilled and Gutted, DR=Dressed, FL=Fillet OT=Other, describe the type of product *2= When the Gear Code is OT, describe the type of gear.			
7.EXPORTER CERTIFICATION I certify that the above information is complete, true, and correct to the best of my knowledge and belief.			
Name	Company name	Address	Signature Date License Number (if applicable)
8.GOVERNMENT VALIDATION I validate that information listed above is complete, true, and correct to the best of my knowledge and belief.			
Total weight of the shipment _____ Kg.			
Name & Title	Signature	Date	Government Seal
IMPORT SECTION:			
9.IMPORTER CERTIFICATION I certify that the above information is complete, true, and correct to the best of my knowledge and belief.			
Importer Certification (Intermediate Country / Entity / Fishing Entity)			
Name	Address	Signature	Date License # (if applicable)
Importer Certification (Intermediate Country / Entity / Fishing Entity)			
Name	Address	Signature	Date License # (if applicable)
Final Point of Import			
City	State/Province	Country / Entity / Fishing Entity	

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

ICCAT BIGEYE TUNA STATISTICAL DOCUMENT INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a country/entity/fishing entity encoded Document Number.

(1) FLAG COUNTRY/ENTITY/FISHING ENTITY: Fill in the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting state, can issue this Document.

(2) NAME OF VESSEL AND REGISTRATION NUMBER (when available): Fill in the name and registration number of the vessel that harvested the bigeye tuna in the shipment.

(3) TRAPS (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.

(4) POINT OF EXPORT: Identify the City, State or Province, and Country/Entity/Fishing Entity from which the bigeye tuna was exported.

(5) AREA OF CATCH: Check the area of catch. (If (b) or (c) checked, items 6 and 7 below do not need to be filled out.)

(6) DESCRIPTION OF FISH: The exporter must provide, to the highest degree of accuracy, the following information. **NOTE:** One row should describe one product type.

1. Product Type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.
2. Gear Code: Identify the gear type which was used to harvest the bigeye tuna using the list below. For OTHER TYPE, describe the type of gear, including farming.
3. Net product weight in kilograms.

(7) EXPORTER CERTIFICATION: The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer license number (if applicable).

(8) GOVERNMENT VALIDATION: Fill in the name and full title of the official signing the Document. The official must be employed by a competent authority of the flag state government of the vessel that harvested the bigeye tuna appearing on the Document or other individual or institution authorized by the flag state. When appropriate, this requirement is waived according validation of the document by a government official, or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. The total weight of the shipment shall also be specified in this block. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Bigeye Tuna Statistical Document Program.

(9) IMPORTER CERTIFICATION: The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye was imported, license number (if applicable), and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODE:

<i>Gear Code</i>	<i>Gear Type</i>
BB	BAITBOAT
GILL	GILLNET
HAND	HANDLINE
HARP	HARPOON
LL	LOGLINE
MWT	MID-WATER TRAWL
PS	PURSE SEINE
RR	ROD AND REEL
SPHL	SPORT HANDLINE
SPOR	SPORT FISHERIES UNCLASSIFIED
SURF	SURFACE FISHERIES UNCLASSIFIED
TL	TENDED LINE
TRAP	TRAP
TROL	TROLL
UNCL	UNSPECIFIED METHODS
OT	OTHER TYPE

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag state).

**Requirements Concerning
the ICCAT Bigeye Tuna Re-export Certificate**

1. The sample form of the ICCAT Bigeye Tuna Re-export Certificate shall be as in the **Appendix**.
2. Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Bigeye Tuna Re-export Certificate for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
3. Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
4. A Contracting Party shall be free to validate ICCAT Bigeye Tuna Re-export Certificates for bigeye tuna imported by that Contracting Party, to which ICCAT Bigeye Tuna Statistical Documents or ICCAT Bigeye Tuna Re-export Certificates are attached. ICCAT Bigeye Tuna Re-export Certificates shall be validated by government organizations or by recognized institutions which are accredited by a Contracting Party's government to validate the ICCAT Bigeye Tuna Statistical Document. A copy of the original Bigeye Tuna Statistical Document accompanying the imported bigeye tuna must be attached to an ICCAT Bigeye Tuna Re-export Certificate. The copy of the original Bigeye Tuna Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the ICCAT Bigeye Tuna Statistical Document. When re-exported bigeye tuna is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that bigeye tuna upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the ICCAT Bigeye Tuna Statistical Document.
5. Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Re-export Certificate (i.e., improperly documented means that the Bigeye Tuna Re-export Certificate is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
6. ICCAT Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 4 shall require from the re-exporting bigeye dealer necessary documents (e.g. written sales contracts) which are to certify that the bigeye tuna to be re-exported corresponds to the imported bigeye tuna. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
7. The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE			
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY / ENTITY / FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
F/FR	Product Type(*) RD/GG/DR/FL/OT	Net Weight (Kg)	Flag country/ Entity/Fishing Entity	Date of Import
4. DESCRIPTION OF FISH FOR RE-EXPORT				
F/FR	Product Type(*) RD/GG/DR/FL/OT	Net Weight (Kg)		
* F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Guttled, DR=Dressed, FL=Fillet OT=Other(Describe the type of product)				
5. RE-EXPORTER CERTIFICATION: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Name/Company Name Address Signature Date License Number (if applicable)				
6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief.				
Name & Title Signature Date Government Seal				
IMPORT SECTION:				
7. IMPORTER CERTIFICATION: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name	Address	Signature	Date	License # (if applicable)
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name	Address	Signature	Date	License # (if applicable)
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name	Address	Signature	Date	License # (if applicable)
Final Point of Import				
City _____ State/Province _____ Country / Entity / Fishing Entity _____				

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the bigeye tuna in the shipment and issued this Certificate. According to the ICCAT Recommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the bigeye tuna was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the bigeye tuna in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF FISH FOR RE-EXPORT

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTER CERTIFICATION

The person or company re-exporting the bigeye tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be employed by a competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate, or a person or institution authorized to validate such certificates by the competent government authority. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Bigeye Statistical Document Program.

(7) IMPORTER CERTIFICATION

The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

REPORT OF THE ICCAT BIGEYE TUNA STATISTICAL DOCUMENT

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY _____
 Month Month Year

Flag Country/Entity/Fishing Entity	Area Code	Gear Code	Point of Export	Product Type		Product Wt.(Kg)
				F/FR	RD/GG/DR/FL/OT	

Gear Code**Gear Type**

BB Baitboat	
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR Rod & reel	
SPHL	Sport Handline
SPOR	Sport fisheries unclassified
SURF	Surface fisheries unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unclassified methods
OTH	Other type (Indicate the type of gear):

Product type**Area Code**

F	Fresh	AT	Atlantic
FR	Frozen	PA	Pacific
RD	Round ID		Indian Ocean
GG	Gilled & gutted		
DR	Dressed		
FL	Fillet		
OT	Other form, describe the type of products in the shipment		

REPORT OF THE ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

<i>Flag Country/Entity/Fi shing Entity</i>	<i>Re-export Country/ Entity/Fishing Entity</i>	<i>Point of Re-export</i>	<i>Product Type</i>		<i>Product Wt.(Kg)</i>
			<i>F/FR</i>	<i>RD/GG/DR/FL/OT</i>	

Product type

- F Fresh
- FR Frozen
- RD Round
- GG Gilled & gutted
- DR Dressed
- FL Fillet
- OT Other form, describe the type of products in the shipment

INFORMATION ON VALIDATION OF ICCAT STATISTICAL DOCUMENTS

1. Flag _____
2. Statistical Document (Bluefin, Bigeye, Swordfish, All): _____
3. Government/Authority organization(s) accredited to validate Statistical Documents

<i>Organization Name</i>	<i>Organization Address</i>	<i>Sample Seal</i>

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

4. Other institutions accredited by the government/authority to validate Statistical Documents

<i>Organization Name</i>	<i>Organization Address</i>	<i>Sample Seal</i>

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

Instructions Contracting Parties, non-Contracting Parties, Entities, Fishing Entities having vessels that harvest species whose international trade must be accompanied by ICCAT Statistical Documents are requested to submit the information on this sheet to the Executive Secretary of ICCAT¹, and to ensure that any changes to the above are also transmitted to the Executive Secretary on a timely fashion.

1. ICCAT: c/Corazón de María, 8 (6th floor), Madrid, Spain 28002.

– RECOMMENDATION –
ESTABLISHING A SWO STATISTICAL DOCUMENT PROGRAM

TITLE: *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program*

(Entered into force: **September 21, 2002**)

RECALLING the *Recommendation by ICCAT on Establishing Statistical Document Program for Swordfish, Bigeye Tuna and Other Species Managed by ICCAT* adopted by the Commission in 2000 in which the full implementation of the program was required by 1 January 2002, or as soon as possible thereafter;

TAKING INTO ACCOUNT the efforts to maintain and rebuild Atlantic swordfish, consistent with the objectives of the Convention;

RECOGNIZING that the Statistical Document Program is an effective tool to assist the Commission's effort for the elimination of IUU fishing operations;

FURTHER RECOGNIZING the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* adopted by the Commission in 1995, and recalling the 1999 Recommendation by ICCAT establishing trade measures pursuant to this Resolution;

AWARE that it is important to improve the reliability of statistical information on catches of Atlantic swordfish and that the availability of trade data would greatly assist in reducing such uncertainty;

RECOGNIZING that a considerable number of vessels fishing for Atlantic swordfish are registered to nations that are not members of ICCAT;

TAKING INTO ACCOUNT the significant efforts that have been undertaken by Contracting Parties to address the problems created by catches of Atlantic swordfish by non-contracting parties, entities, and fishing entities;

CONSIDERING that some of the non-contracting parties, entities, and fishing entities have great difficulty in providing information on the catches of their flag vessels;

ALSO BEING AWARE that this program may be adapted to the specific regulations established by ICCAT Contracting Parties, as well as in the framework of regional economic organizations;

RECOGNIZING the work of the Food and Agriculture Organization (FAO) with respect to statistical document programs, which could impact the programs of the Commission;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. Contracting Parties shall require that all swordfish, when imported into the territory of a Contracting Party be accompanied by an ICCAT Swordfish Statistical Document (Attachment 2) that meets the requirements described in Attachment 1 or an ICCAT Swordfish Re-export Certificate (Attachment 4) that meets the requirements described in Attachment 3. The Commission and the Contracting Parties importing swordfish shall contact all the exporting countries to inform them of this program, particularly differentiation of treatment between catches of swordfish in the Convention Area and those outside of it, in advance of implementation of the program.

2. (1) The ICCAT Swordfish Statistical Document must be validated by a government official, or other authorized individual or institution, of the flag state of the vessel that harvested the swordfish, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state; (2) the ICCAT Swordfish Re-Export Certificate must be validated by a government official, or other authorized individual or institution, of the state that re-exported the swordfish; and (3) the substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for both validations in the Swordfish Statistical Document Program. The substitutional measure should also apply *mutatis mutandis*, to chartering arrangements as provided in section (1) of this paragraph
3. Each Contracting Party shall provide to the Executive Secretary sample forms of its statistical document and re-export certificate required with swordfish imports, and information on validation in the format specified in Attachment 6 and inform him of any change in a timely fashion.
4. Contracting Parties that import or export swordfish shall compile the data collected through the Program.
5. Contracting Parties that import swordfish shall report the data collected by the Program to the Executive Secretary each year by April 1 for the period of July 1 through December 31 of the preceding year and October 1 for the period of January 1 through June 30 of the current year, which shall be circulated to all the contracting parties by the Executive Secretary. The formats of the reports are attached, as in Attachment
6. Contracting Parties that export swordfish shall examine export data upon receiving the import data in Paragraph 5 above from the Executive Secretary, and report the results to the Commission in their National Reports.
7. Contracting Parties should exchange copies of statistical documents and re-export certificates to facilitate the examination mentioned in paragraph 6 consistent with domestic laws and regulations.
8. The Commission shall request Cooperating Non-Contracting Parties, entities, and fishing entities to take the measures described in the above paragraphs.
9. The Executive Secretary shall request all non-Contracting Parties, entities, and fishing entities fishing for and exporting swordfish to Contracting Parties to provide information on validation in the format specified in Attachment 6 and to inform him in a timely fashion of any changes to the information provided.
10. The Executive Secretary shall maintain and update information specified in paragraphs 3 and 9 and provide it to all the Contracting Parties, and promptly circulate any changes.
11. The Commission shall request Non-Contracting Parties, entities, and fishing entities that import swordfish to cooperate in the implementation of the Program and to provide to the Commission data obtained from such implementation in the format specified in Attachment 5 on an annual basis by October 15 for the previous calendar year.
12. Implementation of this program shall be in conformity with relevant international obligations.
13. The provisions of the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Document by the European Community*, adopted by the Commission in 1998, shall apply to the Swordfish Statistical Document Program for swordfish caught by vessels that fly the flag of a Member State of the European Community.
14. Notwithstanding the provisions of Article VIII, paragraph 2 of the Convention, the Contracting Parties shall implement this recommendation as soon as possible, but not later than January 1, 2003 in accordance with the regulatory procedures of each Contracting Party.

Requirements Concerning The ICCAT Swordfish Statistical Document

1. The sample form of the ICCAT Swordfish Statistical Document shall be as in Attachment 2.
2. Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Swordfish Statistical Document for all swordfish in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
3. Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the territory of Contracting Parties.
4. Shipments of swordfish that are accompanied by improperly documented Swordfish Statistical Documents (i.e., improperly documented means that the Swordfish Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of swordfish, that are contrary to ICCAT conservation efforts, and their entry into the territory of a Contracting Party will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) or subject to administrative or other sanction.
5. The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	ICCAT SWORDFISH STATISTICAL DOCUMENT			
EXPORT SECTION				
1. FLAG COUNTRY/ENTITY/FISHING ENTITY :				
2. POINT OF EXPORT:		CITY, STATE OR PROVINCE		
		COUNTRY/ENTITY/FISHING ENTITY		
3. AREA OF CATCH (check one of the following)				
(a) ? North Atlantic (b) ? South Atlantic (c) ? Mediterranean (d) ? Pacific (e) ? Indian				
If (d) or (e) is checked, items 4 and 5 below need not be completed				
4. DESCRIPTION OF FISH				
Product Type ^a	Vessel name and registration	Gear Code ^b	Net Wt (kg)	
F/FR RD/GG/DR/FL/ST/OT				
^a F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, ST= Steak, OT=Others (Describe the type:_____)				
^b When the Gear Code is OT, describe the type of gear: _____				
5. EXPORTER CERTIFICATION For export to countries that have adopted the ICCAT alternative minimum size for swordfish, the exporter must certify that the above listed Atlantic swordfish are greater than 15 kg (33 lb.) or if pieces, the pieces were derived from a swordfish weighing >15 kg.				
I certify that the above information is complete, true, and correct to the best of my knowledge and belief.				
Name	Company Name	Address	Signature	Date
				License # (if applicable)
6. GOVERNMENT VALIDATION I validate that the above information is complete, true, and correct to the best of my knowledge and belief.				
Name & Title	Signature	Date	Government Seal	Net Weight (kg)
IMPORT SECTION				
7. IMPORTER CERTIFICATION I certify that the above information is complete, true, and correct to the best of my knowledge and belief.				
Importer Certification (Intermediate Country/Entity/Fishing Entity)				
Name	Address	Signature	Date	License #
Importer Certification (Intermediate Country/Entity/Fishing Entity)				
Name	Address	Signature	Date	License #
Importer Certification (Final Destination of Shipment)				
Name	Address	Signature	Date	License #
Final Point of Import - City: _____ State or Province: _____ Country/Entity/Fishing Entity _____				

NOTE: If a language other than English is used for completing this document, please add an English translation on this document or on a separate pap

ICCAT SWORDFISH STATISTICAL DOCUMENT INSTRUCTION SHEET

Pursuant to the 2001 ICCAT recommendation, swordfish imported into the territory of a Contracting Party or upon first entry into a regional economic organization must be accompanied by an ICCAT Swordfish Statistical Document (SWD) beginning January 1, 2003. Swordfish dealers who export or import swordfish from all ocean areas will be required to complete the appropriate sections of the SWD. Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the customs territory of Contracting Parties (e.g., Japan, Canada, U.S., Spain, etc.). Improperly documented swordfish shipments (i.e., the SWD is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate and contrary to ICCAT conservation efforts. Entry of improperly documented swordfish will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the customs territory of a Contracting Party or subject to administrative or other sanctions.

Please use the instructions below as a guide to complete the sections that apply to Exporters, Importers, and Government Validation. If a language other than English is used for description, please add an English translation either on the SWD or on a separate paper. Note: if a swordfish product is exported directly from the harvesting Country/Entity/Fishing Entity to a Contracting Party, without going through an intermediate Country/Entity/Fishing Entity, all fish can be identified on one document. However, if the swordfish product is exported through an intermediate Country/Entity/Fishing Entity (i.e., a Country/Entity/Fishing Entity other than the Country/Entity/Fishing Entity which is the final destination of the product), separate documents must be prepared for fish destined for different final destinations, or only one fish may be identified on a document to cope with any possible separation in an intermediate Country/Entity/Fishing Entity. Import of swordfish parts other than meat (i.e., heads, eyes, roe, guts, tails) may be allowed entry without an accompanying SWD.

DOCUMENT NUMBER: This block is for the issuing Country/Entity/Fishing Entity to designate a country coded Document Number.

(1) FLAG COUNTRY/ENTITY/FISHING ENTITY - Fill in the name of the Country/Entity/Fishing Entity of the vessel that harvested the swordfish in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the swordfish in the shipment, or, if the vessel is operating under a chartering arrangement, the exporting state, can issue this Document .

(2) POINT OF EXPORT - Identify the City and State or Province, and country/entity/fishing entity from which the swordfish was exported.

(3) AREA OF CATCH - Check the area of catch. (In case of (d) or (e)checked, items 4 and 5 need not be completed.

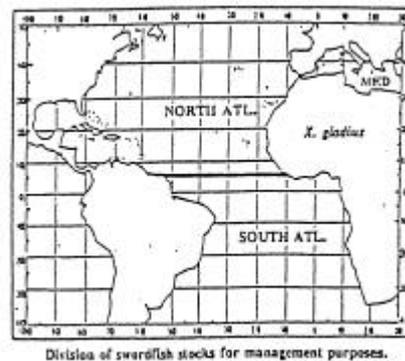
(4) DESCRIPTION OF FISH - The exporter must provide, to the highest degree of accuracy, the following information. (NOTE: One row should describe one product type.) (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment; (2) NAME OF VESSEL AND REGISTRATION NUMBER - Fill in the name and registration number (if available) of the vessel that harvested the swordfish. If product in shipment is from more than one vessel, list all vessels whose product is included in the shipment; (3) Gear Code - Identify the gear type which was used to harvest the swordfish using the listed codes; (5) Net weight - Net product weight in kilograms.

(5) EXPORTER CERTIFICATION - The person or company exporting the swordfish shipment must provide his/her name, signature, address, date the shipment was exported, and dealer license number (if applicable). For countries that have adopted the ICCAT alternative minimum size for swordfish the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb.) or if pieces, the pieces were derived from a swordfish weighing >15 kg.

(6) GOVERNMENT VALIDATION - Fill in name and full title of the official signing the SWD. The official must be employed by a competent authority of the flag state government of the vessel that harvested the swordfish appearing on the SWD or other individual or institution authorized by the flag state or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. Net weight must also be certified and recorded in kg. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Swordfish Statistical Document Program.

(7) IMPORTER CERTIFICATION - The person or company that imports swordfish must provide their name, signature, address, date the swordfish was imported, license number (if applicable) and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, signature of the importer may be substituted by person of a custom clearance company when the authority of signature is properly accredited to the company by the importer.

GEAR CODE	GEAR TYPE
BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod and reel
SPHL	Sport handline
SPOR	Sport fisheries, unclassified
SURF	Surface fisheries, unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unspecified methods
OT	Other type: Describe the type of gear



Original completed document must accompany exported shipment. Retain a copy for your records. The original (imports) or a copy (exports) must be postmarked and mailed, or faxed, within 24 hours of import or export to: XXX

Requirements Concerning the ICCAT Swordfish Re-export Certificate

1. The sample form of the ICCAT Swordfish Tuna Re-export Certificate shall be as in Attachment 4.
2. Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Swordfish Re-export Certificate for all swordfish in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
3. Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the territory of Contracting Parties.
4. A Contracting Party shall be free to validate ICCAT Swordfish Re-export Certificates for swordfish imported by that Contracting Party, to which ICCAT Swordfish Statistical Documents or ICCAT Swordfish Re-export Certificates are attached. ICCAT Swordfish Re-export Certificates shall be validated by government organizations, persons authorized by a government organization, or by recognized institutions which are accredited by a Contracting Party's government to validate the ICCAT Swordfish Statistical Document. A copy of the original Swordfish Statistical Document accompanying the imported swordfish must be attached to an ICCAT Swordfish Re-export Certificate. The copy of the original Swordfish Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the ICCAT Swordfish Statistical Document. When re-exported swordfish is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that swordfish upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the ICCAT Swordfish Statistical Document, or by persons authorized by a government organization.
5. Shipments of swordfish that are accompanied by improperly documented Swordfish Re-export Certificate (improperly documented means that the Swordfish Re-export Certificate is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of swordfish, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
6. ICCAT Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 4 shall require from the re-exporting swordfish dealer necessary documents (e.g., written sales contracts) which are to certify that the swordfish to be re-exported corresponds to the imported swordfish. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
7. The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER		ICCAT SWORDFISH RE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:				
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY				
2. POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED FISH				
Product Type(*)		Net Weight	Flag country/	Date
F/FR	RD/GG/DR/FL/ST/OT	(Kg)	Entity/Fishing entity	of Import
4. DESCRIPTION OF FISH FOR RE-EXPORT				
Product Type(*)		Net Weight		
F/FR	RD/GG/DR/ST/FL/OT	(Kg)		
* F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Guttled, DR=Dressed, ST=Steak, FL=Fillet OT=Other(Describe the type of product)				
5. RE-EXPORTER CERTIFICATION: For export to countries/entities or fishing entities that have adopted the ICCAT alternative minimum size for swordfish, the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb.) or if pieces, the pieces were derived from a swordfish weighing >15 kg.				
I certify that above information is complete, true and correct to the best of my knowledge and belief.				
Name	Company Name	Address	Signature	Date License # (if applicable)
6. GOVERNMENT VALIDATION: I validate that above information is complete, true and correct to the best of my knowledge and belief.				
Name & Title	Organization		Signature	Date
IMPORT SECTION:				
7. IMPORT CERTIFICATION: I certify that above information is complete, true and correct to the best of my knowledge and belief.				
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name	Address	Signature	Date	License #(if applicable)
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name	Address	Signature	Date	License #(if applicable)
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name	Address	Signature	Date	License #(if applicable)
Final Point of Import				
City	State/Province	Country/Entity/Fishing Entity		

NOTE: If a language other than English is used in completing this form, please add the English translation on this document.

ICCAT SWORDFISH RE-EXPORT CERTIFICATE INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the swordfish in the shipment and issued this Certificate. According to the ICCAT Recommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the swordfish was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, STEAK, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the swordfish in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF FISH FOR RE-EXPORT

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, STEAK, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTER CERTIFICATION

The person or company re-exporting the swordfish shipment must provide his/her name, company name address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be in the employment of the competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate, or a person or institution authorized to validate such certificates by the competent government authority. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Statistical Document*, adopted by the Commission in 1993 may be applied to the above requirements for the validations in this Swordfish Statistical Document Program.

(7) IMPORTER CERTIFICATION

The person or company that imports swordfish must provide his/her name, company name, address, signature, date the swordfish was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

REPORT OF THE ICCAT SWORDFISH STATISTICAL DOCUMENT

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY _____
 Month _____ Month _____ Year _____

<i>Flag Country/Entity/ Fishing Entity</i>	<i>Area Code</i>	<i>Gear Code</i>	<i>Point of Export</i>	<i>Product Type</i>		<i>Product Wt.(Kg)</i>
				<i>F/FR</i>	<i>RD/GG/DR/ST/FL/OT</i>	

Gear Code

BB
GILL
HAND
HARP
LL
MWT
PS
RR
SPHL
SPOR
SURF
TL
TRAP
TROL
UNCL
OTH

Gear Type

Baitboat
Gillnet
Handline
Harpoon
Longline
Mid-water trawl
Purse seine
Rod & reel
Sport Handline
Sport fisheries unclassified
Surface fisheries unclassified
Tended line
Trap
Troll
Unclassified methods
Other type (Indicate the type of gear):

Product type

F Fresh
FR Frozen
RD Round
GG Gilled & gutted
DR Dressed
FL Fillet
ST Steak
OT Other form, describe the type of products in the shipment

Area Code

NAT North Atlantic
SAT South Atlantic
MED Mediterranean
PAC Pacific Ocean
ID Indian Ocean

REPORT OF THE ICCAT SWORDFISH RE-EXPORT CERTIFICATE

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY _____
 Month Month Year

<i>Flag Country / Entity/Fishing Entity</i>	<i>Re-export Country/Entity/Fi shing Entity</i>	<i>Point of Re-export</i>	<i>Product Type</i>		<i>Product Wt.(Kg)</i>
			<i>F/FR</i>	<i>RD/GG/DR/ST/FL/OT</i>	

Product type

- F Fresh
- FR Frozen
- RD Round
- GG Gilled & gutted
- DR Dressed
- ST Steak
- FL Fillet
- OT Other form, describe the type of products in the shipment

INFORMATION ON VALIDATION OF ICCAT STATISTICAL DOCUMENTS

1. Flag _____
2. Statistical Document (Bluefin, Bigeye, Swordfish, All): _____
3. Government/Authority organization(s) accredited to validate Statistical Documents

<i>Organization Name</i>	<i>Organization Address</i>	<i>Sample Seal</i>

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

4. Other institutions accredited by the government/authority to validate Statistical Documents

<i>Organization Name</i>	<i>Organization Address</i>	<i>Sample Seal</i>

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

Instructions Contracting Parties, non-Contracting Parties, Entities, Fishing Entities having vessels that harvest species whose international trade must be accompanied by ICCAT Statistical Documents are requested to submit the information on this sheet to the Executive Secretary of ICCAT¹, and to ensure that any changes to the above are also transmitted to the Executive Secretary on a timely fashion.

1. ICCAT: c/Corazón de María, 8 (6th floor), Madrid, Spain 28002.



-CITE-

16 USC Sec. 953

01/22/02

-EXPCITE-

TITLE 16 - CONSERVATION

CHAPTER 16 - TUNA CONVENTIONS

-HEAD-

Sec. 953. General Advisory Committee and Scientific Advisory
Subcommittee

-STATUTE-

(a) Appointments; public participation; compensation

The Secretary, in consultation with the United States
Commissioners, shall -

(1) appoint a General Advisory Committee which shall be
composed of not less than 5 nor more than 15 persons with
balanced representation from the various groups participating in
the fisheries included under the conventions, and from
nongovernmental conservation organizations;

(2) appoint a Scientific Advisory Subcommittee which shall be
composed of not less than 5 nor more than 15 qualified scientists
with balanced representation from the public and private sectors,

including nongovernmental conservation organizations;

(3) establish procedures to provide for appropriate public participation and public meetings and to provide for the confidentiality of confidential business data; and

(4) fix the terms of office of the members of the General Advisory Committee and Scientific Advisory Subcommittee, who shall receive no compensation for their services as such members.

(b) Functions

(1) General Advisory Committee

The General Advisory Committee shall be invited to have representatives attend all nonexecutive meetings of the United States sections and shall be given full opportunity to examine and to be heard on all proposed programs of investigations, reports, recommendations, and regulations of the Commission. The General Advisory Committee may attend all meetings of the international commissions to which they are invited by such commissions.

(2) Scientific Advisory Subcommittee

(A) Advice

The Scientific Advisory Subcommittee shall advise the General Advisory Committee and the Commissioners on matters including -

(i) the conservation of ecosystems;

(ii) the sustainable uses of living marine resources

related to the tuna fishery in the eastern Pacific Ocean; and

(iii) the long-term conservation and management of stocks of living marine resources in the eastern tropical Pacific Ocean.

(B) Other functions and assistance

The Scientific Advisory Subcommittee shall, as requested by the General Advisory Committee, the United States Commissioners, or the Secretary, perform functions and provide assistance required by formal agreements entered into by the United States for this fishery, including the International Dolphin Conservation Program. These functions may include -

(i) the review of data from the Program, including data received from the Inter-American Tropical Tuna Commission;

(ii) recommendations on research needs, including ecosystems, fishing practices, and gear technology research, including the development and use of selective, environmentally safe and cost-effective fishing gear, and on the coordination and facilitation of such research;

(iii) recommendations concerning scientific reviews and assessments required under the Program and engaging, as appropriate, in such reviews and assessments;

(iv) consulting with other experts as needed; and

(v) recommending measures to assure the regular and timely full exchange of data among the parties to the Program and each nation's National Scientific Advisory Committee (or its equivalent).

(3) Attendance at meetings

The Scientific Advisory Subcommittee shall be invited to have representatives attend all nonexecutive meetings of the United States sections and the General Advisory Subcommittee and shall be given full opportunity to examine and to be heard on all proposed programs of scientific investigation, scientific reports, and scientific recommendations of the commission. Representatives of the Scientific Advisory Subcommittee may attend meetings of the Inter-American Tropical Tuna Commission in accordance with the rules of such Commission.

-SOURCE-

(Sept. 7, 1950, ch. 907, Sec. 4, 64 Stat. 778; Pub. L. 102-523, Sec. 3(a)(2), Oct. 26, 1992, 106 Stat. 3433; Pub. L. 105-42, Sec. 7(b), Aug. 15, 1997, 111 Stat. 1137.)



-CITE-

16 USC Sec. 955

01/22/02

-EXPCITE-

TITLE 16 - CONSERVATION

CHAPTER 16 - TUNA CONVENTIONS

-HEAD-

Sec. 955. Secretary of State to act for United States

-STATUTE-

(a) Approval of commission bylaws and rules; action on reports, requests, and recommendations

The Secretary of State is authorized to approve or disapprove, on behalf of the United States Government, bylaws and rules, or amendments thereof, adopted by each commission and submitted for approval of the United States Government in accordance with the provisions of the conventions, and, with the concurrence of the Secretary of Commerce, to approve or disapprove the general annual programs of the commissions. The Secretary of State is further authorized to receive, on behalf of the United States Government, reports, requests, recommendations, and other communications of the commissions, and to take appropriate action thereon either directly

or by reference to the appropriate authority.

(b) Regulations

Regulations recommended by each commission pursuant to the convention requiring the submission to the commission of records of operations by boat captains or other persons who participate in the fisheries covered by the convention, upon the concurrent approval of the Secretary of State and the Secretary of Commerce, shall be promulgated by the latter and upon publication in the Federal Register, shall be applicable to all vessels and persons subject to the jurisdiction of the United States.

(c) Rulemaking procedures; prohibitions

Regulations required to carry out recommendations of the commission made pursuant to paragraph 5 of article II of the Convention for the Establishment of an Inter-American Tropical Tuna Commission shall be promulgated as hereinafter provided by the Secretary of Commerce upon approval of such recommendations by the Secretary of State and the Secretary of Commerce. The Secretary of Commerce shall cause to be published in the Federal Register a general notice of proposed rulemaking and shall afford interested persons an opportunity to participate in the rulemaking through (1) submission of written data, views, or arguments, and (2) oral presentation at a public hearing. Such regulations shall be published in the Federal Register and shall be accompanied by a statement of the considerations involved in the issuance of the

regulations. After publication in the Federal Register such regulations shall be applicable to all vessels and persons subject to the jurisdiction of the United States on such date as the Secretary of Commerce shall prescribe, but in no event prior to an agreed date for the application by all countries whose vessels engage in fishing for species covered by the convention in the regulatory area on a meaningful scale, in terms of effect upon the success of the conservation program, of effective measures for the implementation of the commission's recommendations applicable to all vessels and persons subject to their respective jurisdictions. The Secretary of Commerce shall suspend at any time the application of any such regulations when, after consultation with the Secretary of State and the United States Commissioners, he determines that foreign fishing operations in the regulatory area are such as to constitute a serious threat to the achievement of the objectives of the commission's recommendations. The regulations thus promulgated may include the selection for regulation of one or more of the species covered by the convention; the division of the convention waters into areas; the establishment of one or more open or closed seasons as to each area; the limitation of the size of the fish and quantity of the catch which may be taken from each area within any season during which fishing is allowed; the limitation or prohibition of the incidental catch of a regulated species which may be retained, taken, possessed, or landed by vessels or persons fishing for other species of fish; the requiring of such clearance

certificates for vessels as may be necessary to carry out the purposes of the convention and this chapter; and such other measures incidental thereto as the Secretary of Commerce may deem necessary to implement the recommendations of the commission: Provided, That upon the promulgation of any such regulations the Secretary of Commerce shall promulgate additional regulations, with the concurrence of the Secretary of State, which shall become effective simultaneously with the application of the regulations hereinbefore referred to (1) to prohibit the entry into the United States, from any country when the vessels of such country are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the commission, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the commission and which were taken from the regulatory area; and (2) to prohibit entry into the United States, from any country, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the commission and which were taken from the regulatory area by vessels other than those of such country in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the commission. In the case of repeated and flagrant fishing operations in the regulatory area by the vessels of any country

which seriously threaten the achievement of the objectives of the commission's recommendations, the Secretary of Commerce, with the concurrence of the Secretary of State, may, in his discretion, also prohibit the entry from such country of such other species of tuna, in any form, as may be under investigation by the commission and which were taken in the regulatory area. The aforesaid prohibitions shall continue until the Secretary of Commerce is satisfied that the condition warranting the prohibition no longer exists, except that all fish in any form of the species under regulation which were previously prohibited from entry shall continue to be prohibited from entry.

-SOURCE-

(Sept. 7, 1950, ch. 907, Sec. 6, 64 Stat. 778; Pub. L. 87-814, Sec. 2, Oct. 15, 1962, 76 Stat. 923; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMISIÓN INTERAMERICANA DEL ATÚN TROPICAL

RESOLUTION C-03-01

RESOLUTION ON IATTC BIGEYE TUNA STATISTICAL DOCUMENT
PROGRAM

Approved by correspondence, 24 June 2003

The Inter-American Tropical Tuna Commission (IATTC):

Recognizing the authority and responsibility of IATTC to manage bigeye tuna in the Eastern Pacific Ocean (EPO), at the international level,

Recognizing also the nature of the international market for bigeye tuna,

Recognizing also that there is uncertainty on the catch of bigeye tuna in EPO and that the availability of trade data would greatly assist in reducing such uncertainty,

Recognizing also that bigeye tuna is the main target species of “flag of convenience” fishing operations and that most of the bigeye harvested by such fishing vessels are exported to Contracting Parties, especially to Japan,

Recalling that the International Commission for the Conservation of Atlantic Tunas (ICCAT) has established its Bigeye Tuna Statistical Document Program, and that the Indian Ocean Tuna Commission (IOTC) has also established its Bigeye Tuna Statistical Document Program,

Recognizing that the Statistical Document Program is an effective tool to assist the Commission’s effort for the elimination of illegal, unregulated and unreported (IUU) fishing operations,

Recommends that,

1. Contracting Parties, **by March 1, 2003** or as soon as possible thereafter, require that all bigeye tuna, when imported into the territory of a Contracting Party, be accompanied by an IATTC Bigeye Tuna Statistical Document which meets the requirements described in **Annex 1** or an IATTC Bigeye Tuna Re-export Certificate which meets the requirements described in **Annex 2**. Bigeye tuna caught by purse seiners and baitboats and destined principally for canneries are not subject to this statistical document requirement. The Commission and the Contracting Parties importing bigeye tuna shall contact all the exporting countries to inform them of this Program in advance of the implementation of the Program.
2. (1) The IATTC Bigeye Tuna Statistical Document must be validated by a government official or other authorized individual or institution of the flag State of the vessel that harvested the tuna, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state, and;
(2) The IATTC Bigeye Tuna Re-export Certificate must be validated by a government official or other authorized individual or institution of the state that re-exported the tuna.
3. Each Contracting Party shall provide to the Director sample forms of its statistical document and re-export certificate required with bigeye tuna imports and information on validation in the format specified in **Annex 4**, and inform him of any change in a timely fashion.
4. The Contracting Parties which export or import bigeye tuna shall compile data from the Program.
5. The Contracting Parties which import bigeye tuna shall report the data collected by the Program to

the Director each year by April 1 for the period of July 1 - December 31 of the preceding year and October 1 for the period of January 1 - June 30 of the current year, which shall be circulated to all the Contracting Parties by the Director. The formats of the report are attached as **Annex 3**.

6. The Contracting Parties which export bigeye tuna shall examine export data upon receiving the import data mentioned in paragraph 5 above from the Director, and report the results to the Commission annually.
7. The Contracting Parties should exchange copies of statistical documents and re-export certificates to facilitate the examination mentioned in paragraph 6, consistent with domestic laws and regulations.
8. The Commission shall request cooperating non-contracting parties to take the measures described in the above paragraphs.
9. The Director shall request information on validation from all the non-Contracting Parties/Entities/Fishing Entities fishing and exporting bigeye tuna to Contracting Parties, and request them to inform him in a timely fashion of any changes to the information provided.
10. The Director shall maintain and update information specified in paragraphs 3 and 9 and provide it to all the Contracting Parties, and promptly circulate any changes.
11. The Commission shall request the non-Contracting Parties which import bigeye tuna to cooperate with implementation of the Program and to provide to the Commission data obtained from such implementation.
12. Implementation of this Program shall be in conformity with relevant international obligations.
13. At the initial stage of the Program, the statistical documents and the re-export certificates will be required for frozen bigeye products. Prior to implementing this Program for fresh products, several practical problems need to be solved, such as guidelines to ensure procedures to handle fresh products at customs.
14. The statistical documents for bigeye tuna caught by fishing vessels flying the flag of a Member State of the European Community may be validated by the competent authorities of the Member State whose flag the vessel flies or by those of a different Member State where the products are landed, provided the corresponding quantities of bigeye tuna are exported outside the Community from the territory of the Member State of landing.
15. Notwithstanding the provisions of paragraph 1, the Contracting Parties shall implement this resolution **by March 1, 2003** or as soon as possible thereafter in accordance with the regulatory procedures of each Contracting Party.

Requirements Concerning the IATTC Bigeye Tuna Statistical Document

- 1 The sample form of the IATTC Bigeye Tuna Statistical Document shall be as in the Appendix.
- 2 Customs or other appropriate government officials will request and inspect all import documentation including the IATTC Bigeye Tuna Statistical Document for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
- 3 Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
- 4 Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Statistical Documents (i.e., improperly documented means that the Bigeye Tuna Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to IATTC conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
- 5 The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	IATTC BIGEYE TUNA STATISTICAL DOCUMENT		
EXPORT SECTION			
1.FLAG OF COUNTRY/ENTITY/FISHING ENTITY			
2.NAME OF VESSEL AND REGISTRATION NUMBER (when available)			
3.TRAPS (if applicable)			
4.POINT OF EXPORT (City, State / Province, Country / Entity / Fishing Entity)			
5.AREA OF CATCH (check one of the following) (a) EPO(East of 150°W) (b) the rest of Pacific (c) Atlantic (d)Indian * In case of (b), (c) or (d) checked, the item 6 and 7 below do not need to be filled out.			
6.DESCRPTION OF FISH			
Product Type (*1) F/FR D/GG/DR/FL/OT		Gear Code(*2)	Net Weight (Kg)
*1= F=Fresh, FR=Frozen, RD=Round, GG=Gilled and Guttred, DR=Dressed, FL=Fillet OT=Other, describe the type of product *2= When the Gear Code is OT, describe the type of gear,_____.			
7.EXPORTER CERTIFICATION <u>I certify that the above information is complete, true, and correct to the best of my knowledge and belief.</u>			
Name	Company name	Address	Signature Date License Number (if applicable)
8.GOVERNMENT VALIDATION <u>I validate that information listed above is complete, true, and correct to the best of my knowledge and belief.</u>			
Total weight of the shipment _____Kg		Name & Title	Signature Date Government Seal
IMPORT SECTION:			
IMPORTER CERTIFICATION <u>I certify that the above information is complete, true, and correct to the best of my knowledge and belief.</u>			
Importer Certification (Intermediate Country / Entity / Fishing Entity)			
Name	Address	Signature	Date License # (if applicable)
Importer Certification (Intermediate Country / Entity / Fishing Entity)			
Name	Address	Signature	Date License # (if applicable)
Final Point of Import			
City	State/Province	Country / Entity / Fishing Entity	

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

INSTRUCTIONS

DOCUMENT NUMBER: Block for the issuing Country to designate a country coded Document Number.

(1) FLAG COUNTRY/ENTITIES/FISHING ENTITIES: Fill in the name of the country of the vessel that harvested the bigeye tuna in the shipment and issued this Document. According to the Resolution, only the flag state of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting state can issue this Document.

(2) NAME OF VESSEL AND REGISTRATION NUMBER (when available): Fill in the name and registration number of the vessel that harvested the bigeye tuna in the shipment.

(3) TRAPS (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.

(4) POINT OF EXPORT: Identify the City, State or Province, and Country from which the bigeye tuna was exported.

(5) AREA OF CATCH: Check the area of catch. (If (b), (c) or (d) checked, items 6 and 7 below do not need to be filled out.)

(6) DESCRIPTION OF FISH: The exporter must provide, to the highest degree of accuracy, the following information. **NOTE:** One row should describe one product type

(1) Product Type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.

(2) Gear Code: Identify the gear type which was used to harvest the bigeye tuna using the list below. For OTHER TYPE, describe the type of gear, including farming.

(3) Net product weight in kilograms.

(7) EXPORTER CERTIFICATION: The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer license number (if applicable).

(8) GOVERNMENT VALIDATION: Fill in the name and full title of the official signing the Document. The official must be employed by a competent authority of the flag state government of the vessel that harvested the bigeye tuna appearing on the Document or other individual or institution authorized by the flag state. When appropriate, this requirement is waived according validation of the document by a government official, or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. The total weight of the shipment shall also be specified in this block.

(9) IMPORTER CERTIFICATION: The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye was imported, license number (if applicable), and final point of import. This includes imports into intermediate countries. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODE:

GEAR CODE	GEAR TYPE,
BB	BAITBOAT
GILL	GILLNET
HAND	HANDLINE
HARP	HARPOON
LL	LOGLINE
MWT	MID-WATER TRAWL
PS	PURSE SEINE
RR	ROD AND REEL
SPHL	SPORT HANDLINE
SPOR	SPORT FISHERIES UNCLASSIFIED
SURF	SURFACE FISHERIES UNCLASSIFIED
TL	TENDED LINE
TRAP	TRAP
TROL	TROLL
UNCL	UNSPECIFIED METHODS
OT	OTHER TYPE

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag state).

Requirements Concerning the IATTC Bigeye Tuna Re-export Certificate

- 1 The sample form of the IATTC Bigeye Tuna Re-export Certificate shall be as in the Appendix.
- 2 Customs or other appropriate government officials will request and inspect all import documentation including the IATTC Bigeye Tuna Re-export Certificate for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
- 3 Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
- 4 A Contracting Party shall be free to validate IATTC Bigeye Tuna Re-export Certificates for bigeye tuna imported by that Contracting Party, to which IATTC Bigeye Tuna Statistical Documents or IATTC Bigeye Tuna Re-export Certificates are attached. IATTC Bigeye Tuna Re-export Certificates shall be validated by government organizations or by recognized institutions which are accredited by a Contracting Party's government to validate the IATTC Bigeye Tuna Statistical Document. A copy of the original Bigeye Tuna Statistical Document accompanying the imported bigeye tuna must be attached to an IATTC Bigeye Tuna Re-export Certificate. The copy of the original Bigeye Tuna Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the IATTC Bigeye Tuna Statistical Document. When re-exported bigeye tuna is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that bigeye tuna upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the IATTC Bigeye Tuna Statistical Document.
- 5 Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Re-export Certificate (i.e., improperly documented means that the Bigeye Tuna Re-export Certificate is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to IATTC conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction
- 6 IATTC Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 4 shall require from the re-exporting bigeye dealer necessary documents (e.g. written sales contracts) which are to certify that the bigeye tuna to be re-exported corresponds to the imported bigeye tuna. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
- 7 The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	IATTC BIGEYE TUNA RE-EXPORT CERTIFICATE			
RE-EXPORT SECTION:				
1.RE-EXPORTING COUNTRY / ENTITY / FISHING ENTITY				
2.POINT OF RE-EXPORT				
3.DESCRPTION OF IMPORTED FISH				
F/FR	Product Type(*) RD/GG/DR/FL/OT	Net Weight (Kg)	Flag country/ Entity/Fishing Entity	Date of Import
4.DESCRPTION OF FISH FOR RE-EXPORT				
F/FR	Product Type(*) RD/GG/DR/FL/OT	Net Weight (Kg)		
* F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Guttred, DR=Dressed, FL=Fillet OT=Other(Describe the type of product)				
5.RE-EXPORTER CERTIFICATION: <u>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</u>				
Name/Company Name Address Signature Date License Number (if applicable)				
6.GOVERNMENT VALIDATION: <u>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</u>				
Name & Title Signature Date Government Seal				
IMPORT SECTION:				
7.IMPORTER CERTIFICATION: <u>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</u>				
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name Address Signature Date License # (if applicable)				
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name Address Signature Date License # (if applicable)				
Importer Certification (Intermediate Country / Entity / Fishing Entity)				
Name Address Signature Date License # (if applicable)				
Final Point of Import				
City _____ State/Province _____ Country / Entity / Fishing Entity				

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

INSTRUCTIONS

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the bigeye tuna in the shipment and issued this Certificate. According to the Resolution, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the bigeye tuna was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the bigeye tuna in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF FISH FOR RE-EXPORT

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTER CERTIFICATION

The person or company re-exporting the bigeye tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be employed by a competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate, or other individual or institution authorized to validate such certificates by the competent government authority.

(7) IMPORTER CERTIFICATION

The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

REPORT OF THE IATTC BIGEYE TUNA STATISTICAL DOCUMENT

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

Flag Country/Ent ity/Fishing Entity	Area Code	Gear Code	Point of Export	Product Type		Product Wt.(Kg)
				F/FR	RD/GG/DR/FL/ OT	

Gear Code **Gear Type**

BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod & reel
SPHL	Sport Handline
SPOR	Sport fisheries unclassified
SURF	Surface fisheries unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unclassified methods
OTH	Other type (Indicate the type of gear):

Product type

F	Fresh
FR	Frozen
RD	Round
GG	Gilled & gutted
DR	Dressed
FL	Fillet
OT	Other form, describe the type of products in the shipment

Area Code

EPO	Eastern Pacific Ocean
RPO	Rest of Pacific Ocean
AT	Atlantic
ID	Indian Ocean

REPORT OF THE IATTC BIGEYE TUNA RE-EXPORT CERTIFICATE

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

Flag Country/E ntity/Fishi ng Entity	Re-export Country/En tity/Fishing Entity	Point of Re-export	Product Type		Product Wt.(Kg)
			F/FR	RD/GG/DR/FL/OT	

Product type

- F Fresh
- FR Frozen
- RD Round
- GG Gilled & gutted
- DR Dressed
- FL Fillet
- OT Other form, describe the type of products in the shipment

INFORMATION ON VALIDATION OF IATTC STATISTICAL DOCUMENTS

1 Flag

2 Government/Authority Organization(s) accredited to validate Statistical Documents

Organization Name	Organization Address	Sample Seal

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

3 Other institutions accredited by the government/authority to validate Statistical Documents

Organization Name	Organization Address	Sample Seal

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

Instructions

Contracting Parties, non-Contracting Parties, Entities, Fishing Entities having vessels that harvest species whose international trade must be accompanied by Statistical Documents are requested to submit the information on this sheet to the Director of the IATTC*, and to ensure that any changes to the above are also transmitted to the Secretary on a timely fashion.

*IATTC: 8604 La Jolla Shores Drive, La Jolla CA 92037-1508, USA

A NOAA Highly Migratory Species International Trade Permit is required, under 50 CFR (300.182) to import, export, or re-export swordfish, bluefin tuna, southern bluefin tuna, and bigeye tuna, regardless of ocean of origin. It is also required to receive domestic bluefin tuna.

Application Instructions

- Section 1 Print or type the name of business and business address as shown on the business license. Print or type the Federal ID Number if one has been assigned. Print or type the DUNS Number (required).

- Section 2 Print or type the names and addresses of additional facilities, if applicable.

- Section 3 Print or type the owner's name, address (indicate whether business or residence), telephone number.

- Section 4 List all other state and Federal licenses, if applicable.

- Section 5 Select appropriate options.

- Section 6 The application must be complete and signed by the owner or it will be returned. The owner's signature declares under of penalty of law all information on the application is true, accurate and complete.

Public reporting burden for this collection of information is estimated to average 5 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: NOAA Fisheries, Highly Migratory Species Division, 1 Blackburn Drive, Gloucester, MA 01930. The Paperwork Reduction Act requires potential respondents for a dealer permit to be notified of certain information regarding their rights and the burden associated with applying for a Federal dealer permit. One of the regulatory steps taken by NOAA Fisheries to carry out conservation and management objectives is the requirement of a permit for users of the resources. Section 971(d) of the Atlantic Tunas Convention Act authorizes the promulgation of regulations as may be necessary and appropriate to implement the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). This permit is necessary for the implementation of required ICCAT trade monitoring programs. Pursuant to Section 402(b) of the Magnuson-Stevens Act, and consistent with NOAA Administrative Order 216-100 (Confidentiality of Fisheries Statistics), the Agency does not release confidential information submitted in compliance with provisions of the Act, other than in aggregate form and under circumstances required or authorized by law. Whenever data are requested or released to the general public, the Agency ensures that information on the pecuniary business activity of a dealer is not identified. 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.

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 020703A]

Proposed Information Collection; Comment Request; American Fisheries Act, Vessel and Processor Permit Applications

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 14, 2003.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Patsy A. Bearden at 907-586-7228, or at patsy.bearden@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

The American Fisheries Act (AFA) established an allocation program for the pollock fishery of the Bering Sea and Aleutian Islands Management Area (BSAI). Under the AFA, only vessels and processors that meet specific qualifying criteria are eligible to fish for and process pollock in the BSAI. The BSAI pollock quota is suballocated to groups of vessel owners who form fishing vessel cooperatives under the AFA.

All AFA vessel and processor permits have no expiration date and will remain valid indefinitely unless revoked by NMFS. Inshore catcher vessel cooperatives wishing to receive an allocation of the BSAI inshore pollock Total Allowable Catch (TAC) are required to submit an application for an inshore cooperative fishing permit on an annual basis by December 1 of the year prior to the year in which the

cooperative fishing permit will be in effect. The information must be collected once a year because NMFS must identify the universe of participating vessels and processors prior to the start of each fishing year in order to assign allocations of pollock TAC to eligible groups of vessels that form cooperatives.

II. Method of Collection

Paper forms are used.

III. Data

OMB Number: 0648-0393.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations, individuals or households, and not-for-profit institutions.

Estimated Number of Respondents: 20.

Estimated Time Per Response: 2 hours for an application for an AFA catcher vessel permit; 30 minutes for application for an AFA Permit for Replacement Vessel; 2 hours for application for an AFA Inshore Catcher Vessel Cooperative Permit; 2 hours for an application for an AFA mothership permit; and 2 hours for an application for an AFA inshore processor permit.

Estimated Total Annual Burden Hours: 39.

Estimated Total Annual Cost to Public: \$59.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 5, 2003.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 03-3495 Filed 2-11-03; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 020703B]

Proposed Information Collection; Comment Request; Highly Migratory Species Permit Family of Forms

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 14, 2003.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Dianne Stephan, phone 978/281-9397; Highly Migratory Species Division, NMFS, 1 Blackburn Drive, Gloucester, MA 01930.

SUPPLEMENTARY INFORMATION:**I. Abstract**

Under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), NOAA is responsible for management of the Nation's marine fisheries. In addition, NOAA must comply with the United States' obligations under the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.). NOAA must collect information from dealers to monitor the import and export of bigeye tuna and swordfish in order to comply with international obligations established through membership in the International Commission for the Conservation of Atlantic Tunas (ICCAT). ICCAT has implemented a trade monitoring program for bigeye tuna and swordfish to discourage illegal, unregulated and unreported fishing activities as well as further understanding of catches and international trade for these species.

In order to implement the binding recommendations of ICCAT, the Atlantic Tunas Dealer Permit (currently approved under 0648-0202) will be modified to address all import, export, and re-export of bigeye tuna for Atlantic coast dealers. The Pacific Tuna Dealer Permit (currently approved under 0648-0202) will be modified to address Pacific dealers involved in the import, export, and re-export of bigeye tuna. Finally, the Swordfish Dealer Permit (currently approved under 0648-0205) will be modified to include export and re-export of swordfish. All existing tuna and swordfish dealer permit requirements will be merged with the highly migratory species vessel permits under this collection.

II. Method of Collection

Relevant dealers must apply for or renew permits annually by mail. Renewal forms for all dealer permits are provided annually.

III. Data

OMB Number: 0648-0327.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Businesses or other for-profit organizations.

Estimated Number of Respondents: 960.

Estimated Time Per Response: 5 minutes.

Estimated Total Annual Burden Hours: 80.

Estimated Total Annual Cost to Public: \$500.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 5, 2003.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 03-3496 Filed 2-11-03; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The inventions listed below are assigned to the United States Government, as represented by the Secretary of the Navy and are available for licensing by the Department of the Navy.

U.S. Patent No. 5,525,800 entitled "Selective Multi-Chemical Fiber Optic Sensor", Navy Case No. 76,085; U.S. Patent 5,735,927 entitled "Method of Producing Core/Cladding Glass Optical Fiber Preforms Using Hot Isostatic Pressing", Navy Case No. 76,989; U.S. Patent No. 5,739,536 entitled "Fiber Optic Infrared Cone Penetrometer System", Navy Case No. 77,412; U.S. Patent No. 5,778,125 entitled "Optical Fiber Terminations", Navy Case No. 77,790; U.S. Patent No. 5,779,757 entitled "Process for Removing Hydrogen and Carbon Impurities from Glasses by Adding a Tellurium Halide", Navy Case No. 77,216; U.S. Patent No. 5,846,889 entitled "Infrared Transparent Selenide Glasses", Navy Case No. 77,674; U.S. Patent No. 5,879,426 entitled "Process for Making Optical Fibers from Core and Cladding Glass Rods", Navy Case No. 77,577; U.S. Patent No. 5,900,036 entitled "Multi-Cylinder Apparatus for Making Optical Fibers, Process and Product", Navy Case No. 76,981; U.S. Patent No. 5,949,935 entitled "Infrared Fiber Optic Coupler", Navy Case No. 78,344; U.S. Patent No. 5,953,478 entitled "Metal-Coated IR-Transmitting Chalcogenide Glass Fibers", Navy Case No. 77,806; U.S. Patent No. 5,973,824 entitled "Amplification by Means of Dysprosium Doped Low Phonon Energy Glass Waveguides", Navy Case No. 78,395; U.S. Patent No. 6,015,765 entitled "Rare Earth Soluble Telluride Glasses", Navy Case No. 78,347; U.S. Patent No. 6,021,649 entitled "Apparatus for Making Optical Fibers from Core and Cladding Glass Rods with Two Coaxial Molten Glass Flows", Navy Case No. 79,632; U.S. Patent No. 6,128,429

entitled "Low Phonon Energy Glass and Fiber Doped with a Rare Earth", Navy Case No. 78,394; U.S. Patent No. 6,145,342 entitled "Catalyzed Preparation of Amorphous Chalcogenides", Navy Case No. 78,533; U.S. Patent No. 6,157,856 entitled "Tissue Diagnostics Using Evanescent Spectroscopy", Navy Case No. 79,047; U.S. Patent No. 6,175,678 entitled "Infrared Fiber Imager", Navy Case No. 79,823; U.S. Patent No. 6,195,483 entitled "Fiber Bragg Gratings in Chalcogenide or Chalcohalide Based Infrared Optical Fibers", Navy Case No. 77,161; U.S. Patent No. 6,285,811 entitled "Near-Field Optical Microscope with Infrared Fiber Probe", Navy Case No. 78,932; U.S. Patent Application Serial No. 09/906,010 entitled "Chalcogenide Glass Fiber Raman Laser and Amplifier", Navy Case No. 82,848; U.S. Patent Application Serial No. 09/964,548 entitled "Multi Heating Zone Process for Fabrication of Infrared Optical Fibers", Navy Case No. 82,941; and Navy Case No. 83,486 entitled "All Fiber FTIR", invention disclosure filed October 2, 2001.

ADDRESSES: Requests for copies of the patents or inventions cited should be directed to the Naval Research Laboratory, Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, and must include the Navy Case number.

FOR FURTHER INFORMATION CONTACT:

Catherine M. Cotell, Ph.D., Head, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone (202) 767-7230. Due to temporary U.S. Postal Service delays, please fax (202) 404-7920, e-mail: cotell@nrl.navy.mil or use courier delivery to expedite response.

(Authority: 35 U.S.C. 207, 37 CFR part 404)

Dated: February 6, 2003.

R.E. Vincent, II,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 03-3471 Filed 2-11-03; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent to Grant Exclusive Patent License; Shook-Argosy Joint Venture

AGENCY: Department of the Navy, DOD.

ACTION: Notice.