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**Q** *How does a dealer know if the shipment has been approved or denied entry?*

**A** For each preapproval application received by NMFS, the dealer will receive either a stamped certificate of approval **OR** a denial letter with a reason for the denial checked or written on the notice. No fees will be refunded for shipments deemed as “denied”.

**Q** *What happens to frozen toothfish shipments or fresh shipments that exceed 2000 kgs that come into a U.S. port without a preapproval certificate?*

**A** The fish will be seized for forfeiture to the U.S. Government. In addition, significant civil penalties may be assessed against an importer that fails to follow the requirements of the regulations. **NOTE:** NMFS will no longer be issuing release letters for product that arrives at a U.S. port without **ALL** of the required paperwork (i.e., current and valid permit, DCD(s), and a preapproval certificate). Therefore, these noncompliant shipments may be subject to seizure, deportation, and/or confiscation.

**Q** *What is the fee associated with obtaining a preapproval certificate?*

**A** A \$200.00 fee must be submitted with every preapproval application. A check or money order in U.S. dollars payable to NMFS/NOAA will be accepted.

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**Q** *Where do I get the application?*

**A** Application packets can be obtained through the same office that handles permits and import tickets listed below.

**Q** *Where do I send my preapproval application and associated fee payment?*

**A** The application and payment to cover the fee will be sent via express or overnight mail to:

NOAA Fisheries  
Attention: CCAMLR CDS Officer  
705 Convent Street  
Pascagoula, MS 39567

A copy of the application can be faxed ahead of the hard copy delivery and fee if the dealer desires. This may help to expedite the approval.

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**For more information on  
current import requirements, please contact:**

Kim Dawson  
Phone: (228) 769-8964 ext. 110  
Fax: (228) 762-7144  
Email: kim.dawson@noaa.gov

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For more information about CCAMLR,  
please visit their website at <http://www.ccamlr.org>

This pamphlet was prepared in May 2003 to keep interested persons informed about the Toothfish Import Monitoring Program and to publicize the Agency's interest in developing changes to the current regulations. Prior to making any change in regulations, NOAA Fisheries will publish a general notice of proposed rulemaking with a detailed description of proposed changes to invite public comment. Since fishery rules are subject to change, importers must familiarize themselves with the latest regulations and are responsible for complying with

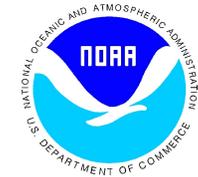
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# Toothfish Import Monitoring Program



(*Dissostichus* species)

## *Preapproval Requirements for Dealers of Frozen Product or Shipments of Fresh Product of 2000 kgs or Greater*



NOAA Fisheries  
Office of Sustainable Fisheries

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## ATTENTION DEALERS

- 1. Dealers who import frozen toothfish or shipments of fresh toothfish equal to or greater than 2000 kgs will be required to follow the preapproval process as detailed in the attached pamphlet.**
- 2. Dealers who only import fresh toothfish in shipments of less than 2000 kgs are exempt from the preapproval requirement and will continue to file import tickets for each shipment within 24 hours, along with a copy of the DCD(s).**

### PREAPPROVAL REQUIREMENTS OVERVIEW

After receiving a Permit to Import Antarctic Marine Living Resources (AMLR), but at least 15 business days prior to an expected import, the permit holder seeking to import frozen *Dissostichus* or fresh *Dissostichus* in quantities equal to or greater than 2000 kilograms (kgs) will be required to submit National Marine Fisheries Service (NMFS) the *Dissostichus* Catch Document(s) [DCD(s)] that will accompany each anticipated shipment as well as an application requesting the preapproval certificate to allow the import of that shipment along with payment to cover the fee for this service. Checks or money orders will be made payable, in U.S. dollars, to NMFS/NOAA.

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Information currently required on the permit application and import ticket regarding a specific shipment will now be required on the pre-approval application. In addition, information about the U.S. port of arrival, estimated date of arrival, DCD document, flag state confirmation number, and amount to be imported will be required on the new approval application.

A preapproval application will cover only one shipment. All DCDs related to a particular shipment will be submitted with the preapproval application. A DCD can only be used once (i.e., one DCD cannot be used to request preapproval for several shipments). The quantity of toothfish listed on the DCD(s) will be required to match the quantity listed on the preapproval application within a variance of 10%.

The dealer will overnight or express mail the application for preapproval to NMFS (the same office that import tickets were sent to) at least 15 business days prior to the expected arrival date of the shipment along with the fee of \$200 per shipment. No application will be processed without the fee.

NOAA Fisheries will review the application and respond with a special “approval” or “denial” via fax and/or express mail.

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## FREQUENTLY ASKED QUESTIONS

**Q** *Why was preapproval adopted?*

**A** Although NMFS has fully implemented the CCAMLR Catch Documentation Scheme (CDS), it recognizes that improvements can be made both to streamline administration of the program and to enhance effort to prevent the import of illegally harvested toothfish. Such streamlining will enhance the ability of toothfish importers and dealers to quickly move a perishable product into and out of the United States. This process would allow NMFS to review catch documents sufficiently in advance of import, thus improving economic certainty for U.S. businesses associated with the *Dissostichus* trade as well as facilitating enforcement efforts.

**Q** *What will be required at U.S. Customs under this new preapproval requirement?*

**A** U.S. Customs will continue to monitor all imports of toothfish coming into and leaving the United States. When importing product that is under the preapproval requirement, dealers will be required to show a current, valid permit to import AMLR, the DCD(s), and a NMFS stamped, preapproval certificate for each shipment. For those dealers importing fresh product less than 2000 kgs, the current requirements still hold true. These dealers must submit to U.S. Customs a current and valid dealer permit and a DCD(s) for each shipment and will continue to file import tickets within 24 hours of import.