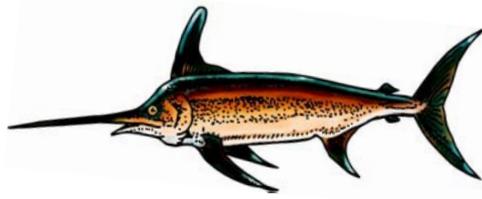


Science, Service, Stewardship

**2009
Dealer and
Importer/Exporter
Compliance Guide**

Guide for Complying with the
Atlantic Tunas, Swordfish,
Sharks, and Billfish
Regulations

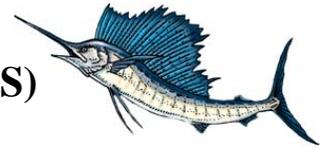
Office of Sustainable Fisheries
Highly Migratory Species
Management Division



(As of November 20, 2008)



Introduction to the Highly Migratory Species (HMS) Management Division



Atlantic highly migratory species (HMS) including tunas, swordfish, sharks, and billfish are managed by the National Marine Fisheries Service (NMFS) under the authority of the Secretary of Commerce, with consideration for the domestic and international aspects of these fisheries.

This document is meant to provide a summary of Atlantic HMS Dealer and Importer/Exporter regulations per the 2006 Consolidated HMS Fishery Management Plan (FMP). This October 2008 Dealer and Importer/Exporter Guide amends all dealer and importer/exporter sections of previous guides and is produced in compliance with section 212 of the Small Business Regulatory Enforcement Fairness Act. This guide is intended to provide a plain-language summary of how to comply with Federal regulations for Atlantic tunas, swordfish, sharks, and billfish.

Since regulations frequently change, it is ***your responsibility as a dealer*** to become familiar with the latest regulatory updates and to comply with the current official regulations. For a comprehensive list of updated Atlantic HMS regulations, please refer to the ELECTRONIC CODE OF FEDERAL REGULATIONS (<http://ecfr.gpoaccess.gov>). **If there is a discrepancy between this summary and the regulations in 50 CFR part 635, the regulations will take precedence.**

Anyone who is a first receiver for **Atlantic sharks** must have a Federal Atlantic Shark Dealer permit. A first receiver, as defined in § 635.2, is any entity, person, or company that takes, for commercial purposes (other than solely for transport), immediate possession of the fish, or any part of the fish, as the fish are offloaded from a fishing vessel of the United States, as defined under § 600.10 of this chapter, whose owner or operator has been issued, or should have been issued, a valid permit under this part. Prior to renewing or obtaining a Federal Atlantic Shark Dealer permit, the dealer or their proxy must have attended an **Atlantic Shark Identification** workshop and obtained a workshop certificate as proof of completing the workshop (see Section III for workshop information). Anyone who receives **Atlantic swordfish** from U.S. vessels must have a Federal Atlantic Swordfish Dealer permit. Federal Atlantic shark and swordfish dealer permits can be obtained by calling the NMFS Southeast Region Permit Office (727) 824-5326. Anyone who receives **Atlantic tunas** (bluefin, bigeye, albacore, yellowfin, or skipjack tunas) from U.S. vessels must have a Federal Atlantic Tunas Dealer permit. Federal Tuna Dealer permits can be obtained by calling the NMFS Northeast Regional Office (978) 281-9370.

NOTE: The purchase or sale of **Atlantic billfish** is ***prohibited***.

An **HMS International Trade Permit** (ITP) is required to lawfully import, export, or re-export Atlantic bluefin tuna, Southern bluefin tuna, Pacific bluefin tuna, frozen bigeye tuna, swordfish, and shark fins. The HMS ITP may be obtained from the NMFS Southeast Region Permit Office (727) 824-5326.

For updates affecting HMS Dealers and Importers/Exporters, please call the HMS Management Division at (301) 713-2347, or visit the HMS website at www.nmfs.noaa.gov/sfa/hms. To stay up-to-date on HMS regulations, sign-up for the HMS email newsletter and listserv *Atlantic HMS News* at <http://www.nmfs.noaa.gov/sfa/hms/newslist/>.