

# HMS Dealer & Importer/Exporter Compliance Guide

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



Updated December 2013

Office of Sustainable Fisheries  
Highly Migratory Species  
Management Division



# Introduction to Atlantic Highly Migratory Species Management

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 guide provides a plain-language summary of federal Atlantic HMS Dealer and Importer/Exporter regulations for Atlantic tunas, swordfish, sharks, and billfish. The 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. Since regulations frequently change, it is ***your responsibility*** to become familiar with the latest regulatory updates and to comply with all current 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, the regulations take precedence.***

For updates affecting HMS Dealers and Importers/Exporters, please call the HMS Management Division at (301) 427-8503, or visit the HMS website at [www.nmfs.noaa.gov/sfa/hms](http://www.nmfs.noaa.gov/sfa/hms). Stay up-to-date on HMS regulations by subscribing to *Atlantic HMS News* at <http://www.nmfs.noaa.gov/sfa/hms/newslist/>.

**Endnotes** (<sup>1,2,3</sup>, etc.) are in the final chapter of this guide, and refer to the location of the regulations in the Code of Federal Regulations (CFR), Title 50 Wildlife and Fisheries.

In the electronic version of this guide, clicking the endnote text in the final chapter will open your internet browser to the section containing the citation in the electronic CFR.

## **NEW as of January 2013: Electronic Dealer Reporting Requirements**

Effective January 1, 2013, NMFS modified dealer reporting requirements for Atlantic sharks, swordfish, and bigeye, albacore, yellowfin, skipjack (BAYS) tunas to require all HMS dealer reports to be submitted using an approved electronic system (August 8, 2012, 77 FR 47303). (NOTE: There were no changes to the bluefin tuna reporting requirements and electronic reporting is not required for bluefin tuna.)

Reports are required on a weekly basis and must be submitted no later than midnight (local time) of the first Tuesday following the end of the reporting week (a reporting week is defined as Sunday through Saturday). Dealers are required to submit a report whether they bought HMS during that weekly reporting period (*i.e.*, a “positive” report) or did not buy HMS during that weekly reporting period (*i.e.*, a “negative” report). Any delinquent (*i.e.*, late or missing) reports must be submitted to NMFS before dealers can lawfully purchase HMS.

The new electronic reporting requirements include all the information requested on the previous paper forms (collected by the Southeast Fisheries Science Center) along with several new data elements that are necessary for HMS management (e.g., vessel and logbook information).

Data may be entered using existing electronic reporting programs, including the Standard Atlantic Fisheries Information System (SAFIS) and various state versions of Trip Tickets. If you are currently reporting through one of these electronic programs, you will also be able to use it to report data on purchased Atlantic sharks, swordfish, and BAYS tunas to meet your federal Atlantic HMS dealer reporting requirements.

If you are a dealer who is new to electronic reporting or an HMS-only dealer, please contact NMFS at 301-427-8590 regarding which program to use and access information. We are available to assist dealers during business hours, from 8 a.m. to 5 p.m., Monday through Friday. You may also visit our website at [http:// www.nmfs.gov/sfa/hms/edealer/index.html](http://www.nmfs.gov/sfa/hms/edealer/index.html).