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Trade Support Network Plenary Session

ITDS Partner Government Agency
Panel Presentation and Discussion
National Marine Fisheries Service

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National Marine Fisheries Service and the International Trade Data System

- Global Marine Species Sustainability
- Efficient Import and Export Trade Facilitation
- Credible and Fair Trade Practices Monitoring
- Enhancement of Sea Food Safety and Homeland Security
- Due Diligence for International Agreements and Partnerships



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NMFS ITDS Requirement Drivers

- The United States imports 90% of its seafood
- Necessity to monitor specific products and/or imports from certain countries in support of embargoes and other compliance measures
- Customs Modernization Act (1993) - national customs automation program
- SAFE Port Act (2006) – mandates participation by all agencies for admissibility decisions
- Executive Order of February 19, 2014 – Streamlining the Export-Import Process

Executive Order -- Streamlining the Export/Import Process for America's Businesses

It is the policy of the United States to promote commerce through the effective implementation of an ambitious 21st century trade agenda and vigorous enforcement of our Nation's laws relating to trade, security, public health and safety, the environment, and natural resources. In support of these goals, and to ensure that our Nation is well-positioned to compete in an open, fair, and growing world economy, the Federal Government must increase efforts to improve the technologies, policies, and other controls governing the movement of goods across our national borders. **...we must increase efforts to complete the development of efficient and cost effective trade processing infrastructure, such as the International Trade Data System (ITDS), to modernize and simplify the way that executive departments and agencies (agencies) interact with traders.**

.....**by December 31, 2016**, participating agencies shall have capabilities, agreements, and other requirements in place to utilize the ITDS and supporting systems, such as the Automated Commercial Environment, as **the primary means of receiving from users the standard set of data and other relevant documentation (exclusive of applications for permits, licenses, or certifications) required for the release of imported cargo and clearance of cargo for export;** (b) by December 31, 2016, the Department of Homeland Security shall confirm to the Secretary of the Treasury and the ITDS Board of Directors (Board), which serves as the Interagency Steering Committee established under section 405 of the SAFE Port Act, that the **ITDS has the operational capabilities to enable users to: (i) transmit a harmonized set of import and export data elements, to be collected, stored, and shared, via a secure single window, to fulfill U.S. Government requirements for the release and clearance of goods; and (ii) transition from paper-based requirements and procedures to faster and more cost effective electronic submissions to, and communications with, agencies;**

Presidential Memorandum – Comprehensive Framework to Combat Illegal, Unreported, and Unregulated Fishing and Seafood Fraud

“..... illegal, unreported, and unregulated (IUU) fishing continues to undermine the economic and environmental sustainability of fisheries and fish stocks, both in the United States and around the world. **Global losses attributable to the black market from IUU fishing are estimated to be \$10-23 billion annually, weakening profitability for legally caught seafood, fueling illegal trafficking operations, and undermining economic opportunity for legitimate fishermen in the United States and around the world.**” “ All agencies and offices charged with overseeing the seafood supply chain and verifying the authenticity of its products shall implement and enforce relevant policies, regulations, and laws to ensure that seafood sold in the United States is legally caught and accurately labeled.”

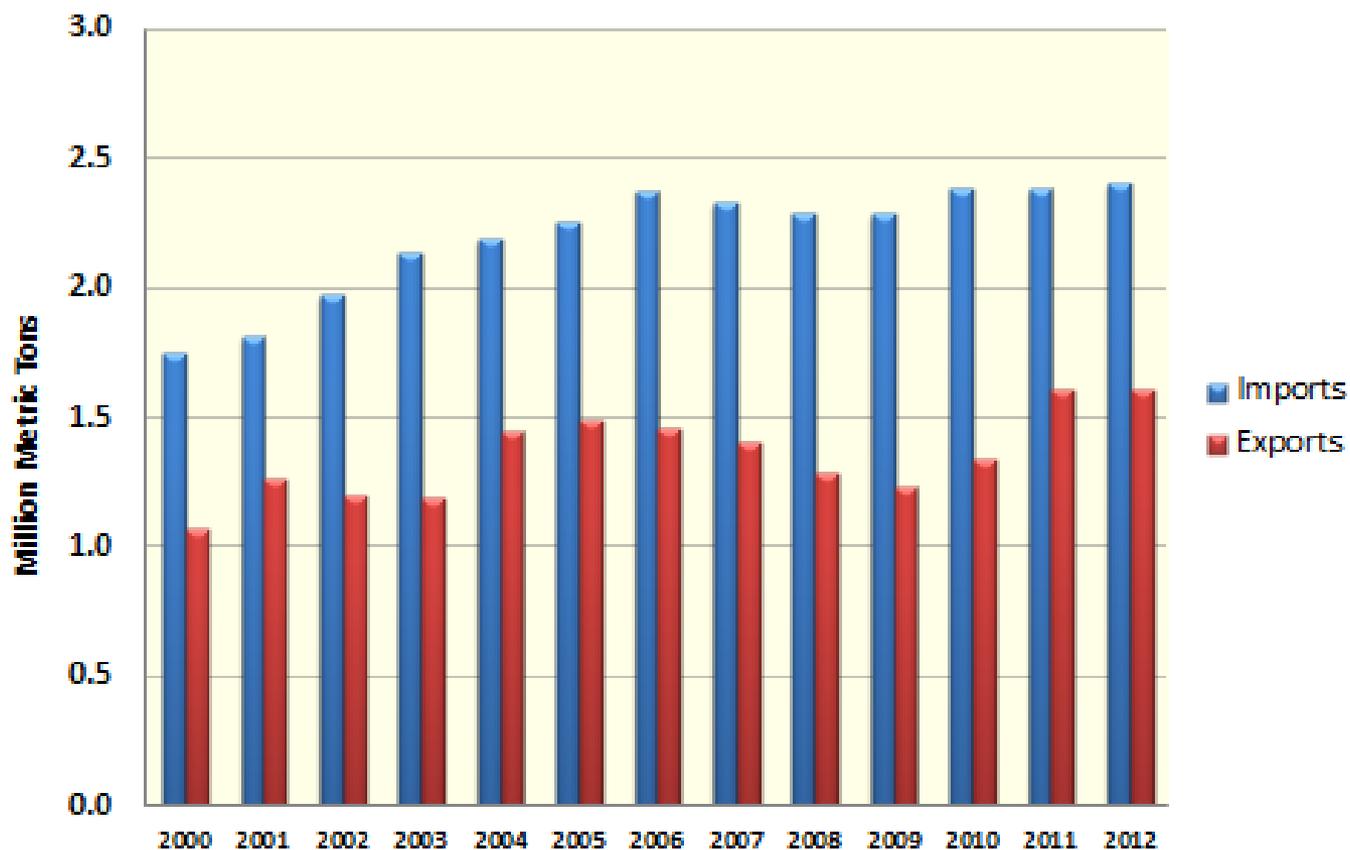
“It **shall also be the policy of the United States to promote legally and sustainably caught and accurately labeled seafood** and to take appropriate actions within existing authorities and budgets to assist foreign nations in building capacity to combat IUU fishing and seafood fraud. In addition, agencies shall identify opportunities to enhance domestic and international efforts to combat global IUU fishing and seafood fraud.” “ In undertaking these efforts, the Task Force shall coordinate its efforts with other Presidential initiatives focused on related issues, Including..... activities being conducted pursuant to Executive Order 13659 of February 19, 2014 (Streamlining the Export/Import Process for America's Businesses).”



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US Seafood Trade by Volume

U.S. Seafood and Fishmeal Import and Export Volume, 2000-2012

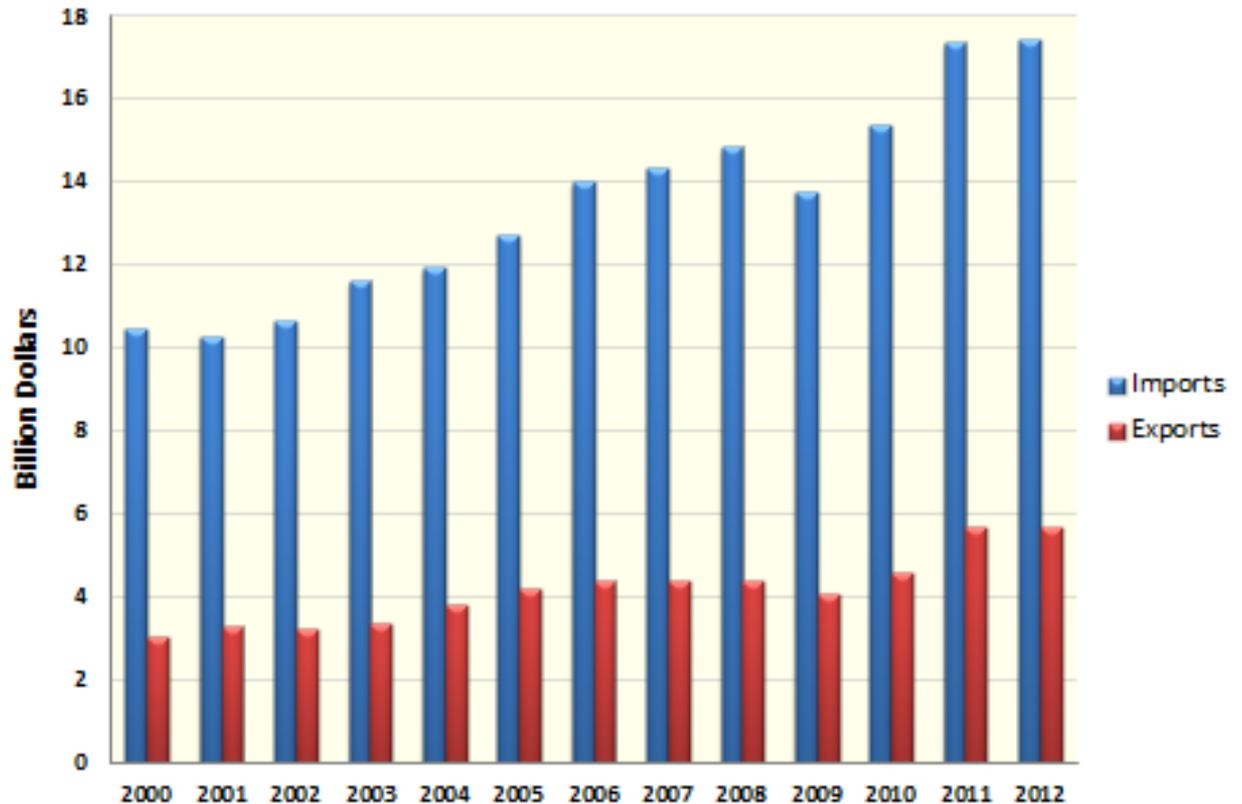




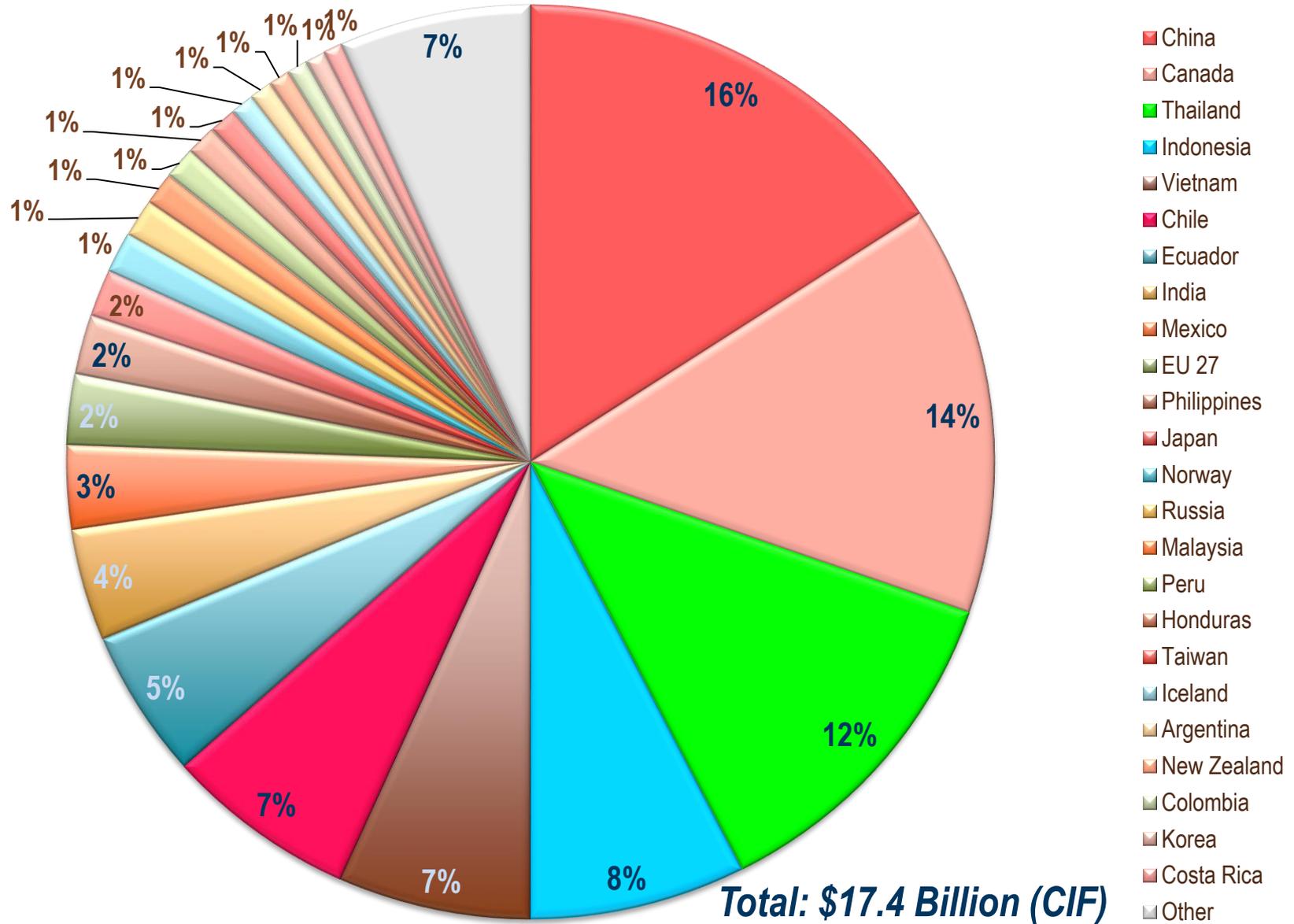
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US Seafood Trade by Value

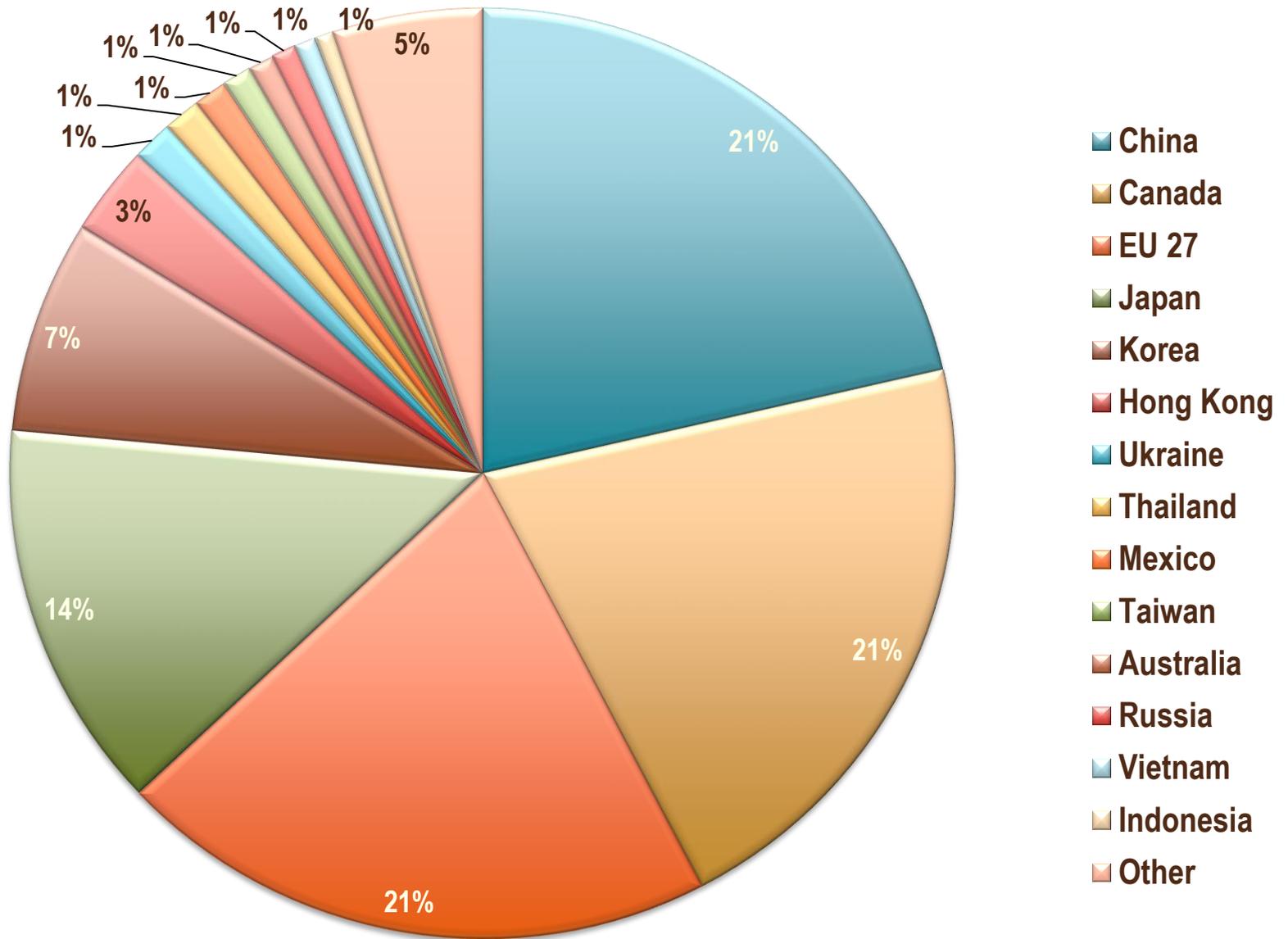
U.S. Seafood and Fishmeal Import and Export Value, 2000 -2012



U.S. Seafood Import Sources, 2012



U.S. Seafood Exports by Destination, 2012





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Regional Fisheries Management Organizations (RFMOs): Sustainable ecosystem-based fisheries management

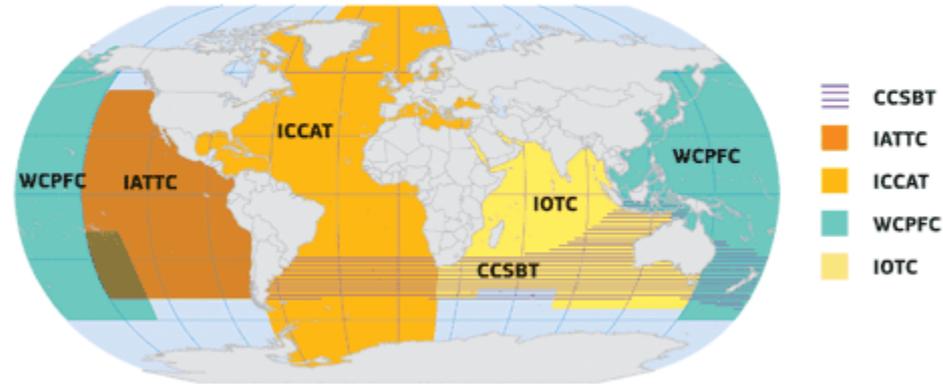


- Managing for today while maintaining abundance for the future
- Harvest levels based on scientific recommendations
- Consideration of ecosystem impacts (by catch, habitat) and socioeconomic impacts
- Regulations for monitoring, control and surveillance



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RFMOs for highly migratory fish stocks (tuna and associated species)



RFMOs which manage highly-migratory species, mainly tuna:

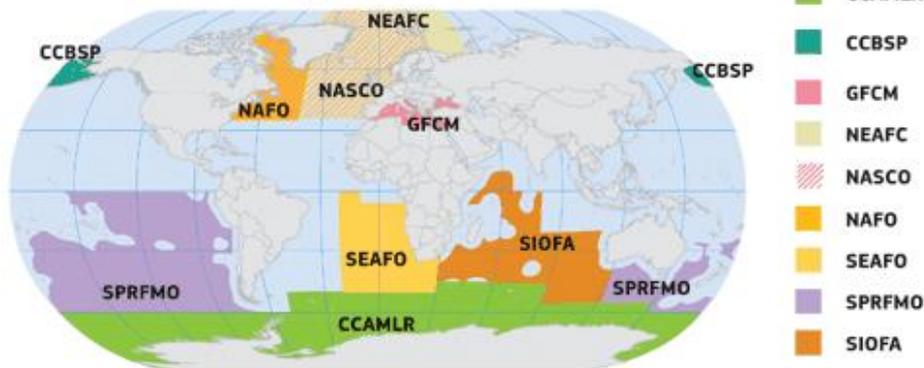
- [International Commission for the Conservation of Atlantic Tunas \(ICCAT\)](#)
- [Indian Ocean Tuna Commission \(IOTC\)](#)
- [Western and Central Pacific Fisheries Commission \(WCPFC\)](#)
- [Inter-American Tropical Tuna Commission \(IATTC\)](#)
- Agreement on the International Dolphin Conservation Programme (AIDCP)
(sister organisation to [IATTC](#))
- [Commission for the Conservation of Southern Bluefin Tuna \(CCSBT\)](#)

http://ec.europa.eu/fisheries/cfp/international/rfmo/index_en.htm



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RFMOs for non-tuna species



RFMOs which manage fish stocks by geographical area:

[North-East Atlantic Fisheries Commission \(NEAFC\)](#)

[Northwest Atlantic Fisheries Organization \(NAFO\)](#)

[North Atlantic Salmon Conservation Organisation \(NASCO\)](#)

[South-East Atlantic Fisheries Organisation \(SEAFO\)](#)

[South Indian Ocean Fisheries Agreement \(SIOFA\)](#)

[South Pacific Regional Fisheries Management Organisation \(SPRFMO\)](#)

[Convention on Conservation of Antarctic Marine Living Resources \(CCAMLR\)](#)

[General Fisheries Commission for the Mediterranean \(GFCM\)](#)

[Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea \(CCBSP\)](#)

The EU also participates in two RFMOs which have a purely advisory status:

[Western Central Atlantic Fisheries Commission \(WECAFC\)](#)

[Fisheries Committee for the Eastern Central Atlantic \(CECAF\)](#)



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Catch Documentation Schemes

- Improvement of catch statistics
 - catches by non-contracting parties
 - catches transshipped at sea or in foreign ports
- Compliance with catch quotas
 - flag state and market state responsibilities
- Preventing infiltration of IUU product
 - cross check with flag state
 - cross check with shipping documents



Effects of IUU Fishing

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- A direct threat to effective conservation of fish stocks
- Adverse consequences for people dependent for their livelihoods
- Contributes to overfishing, impairs rebuilding and may lead to fishery collapse
- Lost economic and social opportunities and diminished food security
- Avoids rules to protect the marine environment



The “Reach” of IUU Fishing and Impacts....

American journalist freed from Somali pirates

By **Ashley Fantz** and **Paul Vercammen**, CNN

updated 5:48 AM EDT, Wed September 24, 2014

STORY HIGHLIGHTS

(CNN) -- American journalist Michael Scott Moore, held for more than two years by Somali pirates, has been freed, Moore's family and a Somali official told CNN on Tuesday.

"I'm absolutely thrilled," said Michel Todd, who was Moore's web editor at Pacific Standard magazine.

Todd said Moore was a weekly freelance columnist who wrote often about Somalia. He had been researching Somali pirates.

Todd said Moore's stories suggested that illegal European fishing was driving Somalis into piracy.



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International Actions Against IUU

- 1993 Agreement to Promote Compliance with Conservation & Management on the High Seas
- 2001 FAO International Plan of Action to Prevent, Deter and Eliminate IUU
- National plans of action to achieve IPOA objectives
- Monitoring, Control, and Surveillance Network
- RFMO agreed MCS measures including: IUU lists, observers, VMS, boarding and inspection regimes, port inspection, CDS



NMFS “Product Specific” Trade Programs

There are three “product specific” NMFS import & export trade monitoring programs;

- **Highly Migratory Species (HMS)**
 - **Antarctic Marine Living Resources (AMLR)**
 - **Tuna Tracking and Verification Program (TTVP/NOAA 370)**
- All three will require the use of the PGA message set data and the submission of digital images. Two currently require a permit.
 - All other NMFS Imports (HTS Codes) will not require the PGA Message Set, the permit or an imaged form (attachment).



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Species/products included for NMFS Trade Monitoring Programs

Antarctic Marine Living Resources

Toothfish

Antarctic Krill

Highly Migratory Species

Atlantic bluefin

Pacific bluefin tuna

Southern bluefin tuna

Bigeye tuna

Shark fin

Tuna Tracking and Verification - 370

All tuna and tuna products (other than fresh tuna) imported into the United States

Certain marine products imported from Italy (approximately 45 specifically listed HTS product codes – see list)



There are 781 total HTS codes for marine products that fall within the scope of the NMFS monitoring/regulatory role. Of those, 105 require the collection of data above that already provided with the Entry filings ($TTVP = 76 / AMR = 9 / HMS = 20$). That is approximately 13% of the total of various marine related species imported. Only 29 (about 4%) of those products/HTS codes require Export related message sets. (The *TTVP -370* program is import only.)

The NMFS ITDS Related Objectives

1. Transition from paper to electronic import and export filing via a “single window”
2. Utilize Electronic Data Interchange (EDI) via the CBP Automated Broker Interface (ABI) and the PGA Message Set to collect data necessary to facilitate an electronic (automated) authorization decision for product/shipment release
3. Utilize the CBP Data Imaging System (DIS) CBP to collect the NMFS required international forms and eliminate the collection of all paper forms
4. Utilize Interoperable Web Services (IWS) to conduct the system to system automated communications necessary to facilitate the automation of import and export authorizations
5. Utilize Secure File Transfer Protocol (SFTP) to receive data collected on NMFS monitored products
6. Utilize an electronic NMFS trade permitting system to facilitate timely permit acquisitions and an electronically updated data base for automated permit validation



HMS Program Requirements Overview

NMFS Highly Migratory Species (HMS) Program Requirements (Primarily Bluefin Tuna, Frozen Big Eye Tuna and Swordfish)	
General NMFS Requirements and Restrictions	See NMFS HTS Codes per Appendix to be provided
	An NMFS International Trade Permit (ITP) is Required for the import, export and re-export of all; <ul style="list-style-type: none"> • Atlantic bluefin tuna (<i>Thunnus thynnus</i>) • Pacific bluefin tuna (<i>Thunnus orientalis</i>) • Southern bluefin tuna (<i>Thunnus maccoyii</i>) • Swordfish (<i>Xiphias gladius</i>) • Bigeye tuna (frozen) (<i>Thunnus obesus</i>) • Shark fin
	All except shark fins must be accompanied by international form(s) Images
	See additional 370 requirements frozen and processed tuna (not fresh tuna)
List of Potential HMS Program Forms Required for submission as Document Image(s)	HMS Program Forms list. Submit via the Document Imaging System (DIS) <ul style="list-style-type: none"> • CCSBT Catch Monitoring • CCSBT Re-export/Export After Landing of Domestic Product • IATTC Bigeye Tuna Statistical Document • IATTC Bigeye Tuna Re-export Certificate • ICCAT Bigeye Tuna Statistical Document • ICCAT Bigeye Tuna Re-export Certificate • ICCAT Bluefin Tuna Catch Document • ICCAT Bluefin Tuna Re-export Certificate • ICCAT Swordfish Statistical Document • ICCAT Swordfish Re-export Certificate • IOTC Bigeye Tuna Statistical Document • IOTC Bigeye Tuna Re-export Certificate

HMS Program PG Records

Required PG Records; The following list of PG Records must be provided via the PG Message Set in addition to all PG Records designated as "Mandatory" such as the Control Identifier- "PG", Record Type- "01" or other Mandatory associated data such as fillers that are listed as Mandatory with the following PG Record Numbers.		
PG-01	Commercial Description of Shipment (product)	Such as "Frozen Swordfish Steaks"
PG-01	Partner Government Agency Code (PGA)	NM (code used for National Marine Fisheries)
PG-01	Government Agency Program Code	HMS (Highly Migratory Species Program code)
PG-01	Electronic Image Submitted	"Y" indicates an image will be included
PG-01	Confidential Information Indicator	"Y" indicates the info is confidential
PG-02	Item Type	"P" = Product (Product vs. component)
PG-06	Source Type Code	Country role; e.g. "Harvesting Country"
PG-06	Geographic location (ocean of harvest)	Ocean Geographic Area Codes
PG-06	Processing Type Code	The fishing vessel's harvest gear type (code)
PG-14	Licenses, Certificates, Permits or Other (LCPO)	NMFS license type= "NM3" and the 7 digit NMFS HMS permit number
PG-22	Importers Signed Document	"Y" indicates that the importer has a copy
PG-22	Document Identifier (may be repeated multiple time for multiple documents)	Include the code from the Appendix PGA for each of the document(s) images submitted
PG-22	Compliance	unique/specific document number (positions 51-80)
PG-31	Commodity Harvesting Vessel Character Type Code	Flag(Country) of the harvest vessel (two digit ISO code from appendix B)

Toothfish Program Requirements Overview & PG Records

NMFS Antarctic Marine Living Resources (AMR) Program Requirements (Primarily Fresh or Frozen Toothfish Imports)		
General NMFS Requirements and Restrictions	See NMFS HTS Codes list per Appendix to be provided	
	An NMFS AMLR Permit is Required for all Antarctic Marine Living Resource	
	All Frozen toothfish requires NMFS Pre-Approval prior to import	
Document Images Required	All imports/exports of Fresh Toothfish require document images; Dissostichus Catch Documents (DCD) & Reporting form for Catch Documents-Fresh Toothfish ,Dissostichus Re-Export Document	
<p><i>Required PG Records; The following list of PG Records must be provided via the message set in addition to all associated Mandatory Records such as the Control Identifier- "PG", Record Type- "01" or other Mandatory associated data such as fillers that are listed as Mandatory with the following PG Record Numbers.</i></p>		
PG-OI	Commercial Description of Shipment	DISSOTICHUS – FRESH TOOTHFISH
PG-01	Partner Government Agency (PGA)	NM – National Marine Fisheries Service
PG-01	Government Agency Program Code	AMR -Antarctic Marine Living Resources
PG-01	Confidential Information Indicator	"Y" indicates the info is confidential
PG-02	Item Type	"P" = Product (vs "component")
PG-06	Source Type Code	Country role; HRV "harvesting country"
PG-10	Commodity Qualifier	A code of "FRZ" = Frozen or "FRE"=Fresh must be provided for all toothfish
PG-14	LCPO Permit & Authorizing Document Data	NMFS AMLR Permit number for the importer of record
PG – 14	Licenses, Certificates, Permits or Other (LCPO)	Number for the NMFS pre-approval issued – only for frozen toothfish
PG – 14	LPCO Quantity	<i>Include the total quantity by weight of toothfish pre-approved for this Entry if Frozen</i>
PG – 14	LPCO Unity of Measure	<i>Kilograms = KG</i>
PG-31	Commodity Harvesting Vessel Character Type Code (May be repeated if the documents for this Entry include product from vessels from more than one country)	<i>Flag(Country) of the harvest vessel (two digit ISO code from appendix B)</i>

NOAA 370 Program Requirements Overview

NMFS PG Message Set: NMFS Tuna Tracking and Verification Program (TTVP / NOAA 370) Requirements	
<p>General NMFS Requirements and Restrictions</p>	<ul style="list-style-type: none"> The NMFS 370 program includes all tuna or tuna products <u>except</u> fresh tuna (regardless of origin). HTS Codes in attached lists A, B, C & D (D = only if it contains tuna) Also includes other fish or fish products that originate from a country certified as a large scale driftnet nation (currently only Italy). HTS Codes in attached list E. Certain required data requirements may not be required at the time of filing for cannery processed product imported to the US Customs District from American Samoa if the data was previously submitted to NMFS.
	<p>See 50 CFR 216.24 (f)(2) and 50 CFR 216.92(a) for legal reference</p>
	<p>Note: For all Bluefin Tuna and for all frozen Big Eye Tuna products, see also NMFS HMS program for additional requirements.</p>
	<p>No permit is currently required for NOAA 370 covered product unless the product includes those referenced above in the HMS program, in which case an HMS International Trade Permit is required for this product.</p>
<p>Document Images Required (in lieu of paper form submissions)</p>	<p>Images of NOAA 370 Fisheries Certificate(s) of Origin forms, including multiple document copies as are <u>required</u> to document the harvest of <u>all</u> products contained in the shipment per section 5 of the Certificate “Dolphin Safe Status” and/or section 7 signature submissions for “High Seas Driftnet Certification” if required.</p>
	<p>All supplemental certifications (statement documents) attesting to the circumstances pertaining to the harvest per section 5 of the Certificates. Potential supplemental/conditional certifications include;</p> <ul style="list-style-type: none"> Captain’s Statement Observer’s Statement International Dolphin Conservation Program (IDCP) Member Nation Statement

NOAA 370 Program PG Records

<i>Required PG Message Set Records;</i>		
<i>PG-01</i>	<i>Commercial Description of Shipment (product)</i>	<i>Example: "Light Meat Tuna in Water"</i>
<i>PG-01</i>	<i>Government Agency Code</i>	<i>NM (National Marine Fisheries Service)</i>
<i>PG-01</i>	<i>Government Agency Program Code</i>	<i>370 (code for this program)</i>
<i>PG-01</i>	<i>Electronic Image Submitted</i>	<i>"Y" (indicates an image will be included)</i>
<i>PG-01</i>	<i>Confidential Information Indicator</i>	<i>"Y" (indicates the info is confidential)</i>
<i>PG-02</i>	<i>Item Type</i>	<i>"P" (Product vs. a component)</i>
<i>PG-06</i>	<i>Source Type Code</i>	<i>Country role; HRV = "Harvesting Country"</i>
<i>PG-06</i>	<i>Geographic Location – ocean area of harvest</i>	<i>Code for the ocean of harvest</i>
<i>PG-06</i>	<i>Processing Type Code</i>	<i>The fishing vessel's harvest gear code</i>
<i>PG-10</i>	<i>Category Type Code (Only if Yellowfin Tuna)</i>	<i>Enter "NM1" in position 5-10</i>
<i>PG-10</i>	<i>Category Code (Only if Yellowfin Tuna)</i>	<i>Enter "YFT" in position 11-15</i>
<i>PG-10</i>	<i>Commodity Characteristic Description (YFT)</i>	<i>"CONTAINS YELLOWFIN TUN A" p 24-80</i>
<i>PG-22</i>	<i>Importers Signed Document</i>	<i>"Y" - importer has a copy of the document</i>
<i>PG-22</i>	<i>Document Identifier</i>	<i>code for the document(s) required;</i>
<i>PG-22</i>	<i>Conformance Declaration</i>	<i>per box # selected for Section 5 of 370</i>
<i>PG-22</i>	<i>Conformance Declaration</i>	<i>box 7 was selected if from Italy</i>
<i>PG-22</i>	<i>Document Identifier (NMFS form names/#)</i>	<i>Appendix PGA codes for documents</i>
<i>PG-31</i>	<i>Commodity Harvesting Vessel Character Code</i>	<i>Flag - Country of Registry – harvest vessel</i>



Trade Volunteer Participants Needed Imaging and Message Set Pilot Testing

Filers certified for ACE filing who are;

- importing frozen tuna (via type 1- “post quota” imports) or,
- importing frozen toothfish or,
- importing swordfish
- and who are interested in pilot testing Document Imaging and/or Message Set.

Volunteers can set up and begin image testing almost immediately for both the NOAA 370 Form and the Toothfish Pre-Approval Form.

Persons who may be interested in participating in pilot testing the Message Set for the import of NMFS covered products can be ready to begin in the very near future.

Please contact me: dale.jones@noaa.gov



Questions and Comments, Contact:

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