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NMFS HMS Program Business Rules

Version 3/3/2015

NMFS Highly Migratory Species (HMS) Program Import and Export Requirements (Primarily Bluefin Tuna, Frozen Big Eye Tuna and Swordfish) http://www.nmfs.noaa.gov/sfa/hms/compliance/itp/index.html	
<i>This Guide is to be used in conjunction with the Partner Government Agencies ACE CBI CATAIR and associated/referenced appendices.</i>	
General NMFS Requirements and Restrictions	See NMFS HTS Codes attached for all products covered by the HMS Program
	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
	Filings for all HMS shipments, except shark fins, must be accompanied by the appropriate international form(s) to be submitted via the Document Imaging System (DIS)
	Additional mandatory reporting requirements exist for all frozen and processed tuna (not fresh tuna) under the NOAA 370/TTVP program. Assure that all data required by the NMFS 370 program for those tuna products is also submitted.
List of Potential HMS Program Forms Required for submission as Document Image(s)	HMS Program Forms list; <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
	Certain copies of these International form(s) must be submitted dependent and determined by the product species (HTS), area or ocean of harvest and other conditional requirements. The forms that are required to accompany the shipment must be submitted to Customs at the time of filing via the Document Imaging System (DIS)

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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.

Record Identifier	Data Element	Position	Description, Examples and/or instruction
PG-01	Commercial Description of Shipment (product)	11-80	<i>Such as "Frozen Swordfish Steaks"</i>
PG-01	Partner Government Agency Code (PGA)	8-10	<i>NMF (code used for National Marine Fisheries) (Appendix V)</i>
PG-01	Government Agency Program Code	11-13	<i>HMS (Highly Migratory Species Program code) (Appendix PGA)</i>
PG-01	Electronic Image Submitted	17	<i>"Y" indicates an image will be included (blank for shark fins only – no image required)</i>
PG-01	Confidential Information Indicator	18	<i>"Y" indicates the info is confidential</i>
PG-06	Source Type Code	5-7	Country role; HRV "harvesting country" (information on harvest location and method of harvest) (Appendix PGA)
PG-06	Country Code	8-9	<i>A two letter code from Appendix B that shows from what Country's territorial waters the harvest took place or, if it was on the high seas in international waters, the code "ZZ" is used.</i>
PG-06	Geographic location (filer must provide the ocean area or areas where the product was harvested)	10-29	<i>Ocean Geographic Area Codes Use valid codes for the ocean area of catch example; North Atlantic from appendix PGA.</i>
PG-06	Processing Type Code	46-50	<i>The fishing vessel's harvesting gear type (see code list)(Appendix PGA)</i>
PG-14	Licenses, Certificates, Permits or Other (LCPO)	6-8	<i>Enter the license type as "NM3" and the NMFS HMS permit number for the importer of record– (This is currently the NMFS "HMS International Trade Permit" but will become the "International Fisheries Trade Permit"</i>
PG-22	Importers Signed Document	5	<i>"Y" indicates that the importer has and retains a copy of the required document (none currently required for shark fins)</i>

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Record Identifier	Data Element	Position	Description, Examples and/or instruction
PG-22	Document Identifier (will be repeated multiple time for multiple documents)	6-12	<i>Include the code from the Appendix PGA for each of the specific document images submitted via the Document Imaging System. At least one of the Catch, Statistical or Re-export documents listed on page 1 above is required for all imports, exports or re-exports of HMS products except for shark fins. The document required is determined by the regulatory parameters involving the particular species (HTS), ocean harvest area and export/re-export status. These documents must be submitted at the time of the filing to CBP via the Document Imaging System/DIS.</i>
PG-22	Compliance Description (will be repeated multiple time for multiple documents)	51-80	<i>Enter the unique/specific number that appears on every document submitted via the DIS. This is the specific "serialized" number assigned to the individual reporting form for that specific harvest. (The unique number is entered in positions 51 through 80 and must correspond to the document identifier for each PG Record 22 in positions 6-12) (There are 30 characters to utilize in space 51 through 80.)</i>
PG-31	Commodity Harvesting Vessel Character Type Code	5-7	<i>Flag(Country) of the harvest vessel (two digit ISO code from appendix B)</i>

In addition to the requirements identified here, **there are separate and additional import documentation requirements for frozen or processed tuna under the NMFS 370 Program (The 370 program does not include fresh tuna)**. To determine which additional requirements may apply to tuna product consult the NMFS 370 Program requirements.

Supplemental Instructions for the filer:

Does the shipment/Entry contain more than one product as defined or differentiated by HTS Code?

- If so, you will have a separate/repeated set of PG Records including; PG-OI, PG-01, PG 06, PG-22 and PG-31 for every specific HTS Code Product contained in the shipment for this Entry number.

Were there different ocean areas of harvest for the same type of product (with the same HTS code)?

- If so, repeat PG-06 once for each ocean area of harvest that is listed for that HTS product listed on the various forms included for this shipment. Such as the Eastern Tropical Pacific, Western Pacific or Indian Ocean.

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Is there more than one Catch, Statistical or Re- Export Document form required?

- If so, repeat PG-22 once for each different form required. Indicate which form it is in the PG-22 line by including the code for that form from Appendix PGA.
- Designate the code for the ocean area of catch/harvest; such as WP (Western Pacific), ETP (Eastern Tropical Pacific) or IND (Indian Ocean).

In addition to the Catch Document or Statistical Document forms, there may be Re-Export Document forms required and submitted as well. A Re-Export Document may be present and accompany a product being imported to the US if the product was initially landed in one country and then imported and re-exported from at least one additional country prior to being imported to the US. The international forms involved, and in use for the HMS programs are adopted by numerous countries. Regional Fisheries Management Organizations (RFMOs) or Treaty / Convention entities often require a full “harvest to market” tracking of these products which incorporates both initial and re-export forms. Repeat PG-22 once for each additional type of form that is included. Forms bearing unique/specific identifying numbers should be recorded through the repetitive use of PG-22.

The PG-31 record must be shown for the harvesting vessel’s country of registry or “vessel flag” for each product or HTS Code in the shipment.

Is there multiple harvest vessels listed on the form(s) that are flagged (registered) in different countries?

- If there is more than one “flag country” or “country of registry” for the vessels listed, repeat PG-31 once for each separate “flag country” shown. If there are multiple vessels but they are all from the same country (bear the same flag), then you need only use the PG-31 record once for each HTS code/product shown.

HMS Program Harmonized Tariff Schedule Codes

All tuna and swordfish product included in the following Harmonized Tariff Schedule of the United States (HTS) categories that is imported into the United States must be accompanied by at an international Catch Document, Certificate or Re-Export Certificate and a PG Message Set as designated in the above described requirements.

All Shark fin product included in the following Harmonized Tariff Schedule of the United States (HTS) categories that is imported into the United States must be accompanied by a PG Message Set as designated in the above described requirements. No additional supporting documents are required for shark fins.

Bluefin Tuna

<u>0302.35.0100</u>	Atlantic and Pacific bluefin tunas (<i>Thunnus thynnus</i> , <i>Thunnus orientalis</i>)
<u>0302.36.0000</u>	Southern bluefin tunas (<i>Thunnus maccoyii</i>)

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0303.45.01 Atlantic and Pacific bluefin tunas
(*Thunnus thynnus*, *Thunnus orientalis*)

0303.45.0110 *Thunnus thynnus*

0303.45.0150 *Thunnus orientalis*

0303.46.0000 Southern bluefin tunas (*Thunnus
maccoyii*)

Swordfish

0302.47.00 Swordfish (*Xiphias gladius*)

0302.47.0010 Steaks

0302.47.0090 Other

0303.57.00 Swordfish (*Xiphias gladius*)

0303.57.0010 Steaks

0303.57.0090 Other

0304.45.0000 Swordfish (*Xiphias gladius*)

0304.54.0000 Swordfish (*Xiphias gladius*)

0304.84.0000 Swordfish (*Xiphias gladius*)

0304.91 Swordfish (*Xiphias gladius*):

0304.91.1000 In bulk or in immediate containers
weighing with their contents over 6.8
kg each

0304.91.9000 Other

Frozen bigeye tuna

0303.44.0000 Bigeye tunas (*Thunnus obesus*)

Sharkfin

0305.71.0000 Shark fins