



OCT 8

Dear Bluefin Tuna Dealers:

National Marine Fisheries Service (NMFS) regulations require a completed, approved Bluefin Tuna Statistical Document (BSD) as a condition for lawful import, export, or re-export of Atlantic and Pacific bluefin tuna into or from the customs territory of the United States. These regulations are necessary to comply with the recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT). Dealers importing bluefin tuna, or purchasing or receiving for export bluefin tuna first landed in the United States are required to possess a valid bluefin tuna dealer permit and comply with all applicable recordkeeping and reporting requirements.

Allotments of Bluefin Tuna Statistical Documents that you may use to export shipments of Atlantic or Pacific bluefin tuna are enclosed. Atlantic bluefin tuna dealers may obtain BSDs, permit applications, tail tags, and reporting forms from the Administrator, Northeast Region, National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-3799. Pacific bluefin tuna dealers may obtain these items from the Administrator, Southwest Region, National Marine Fisheries Service, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

Documentation requirements: A BSD is considered completed and approved for import, export or re-export if it is identified by a number assigned by the issuing government and has all of the required information recorded and, if applicable, is validated.

Imports: Importers must record on the BSD accompanying imported bluefin tuna the applicable Entry Number appearing on U.S. Customs Form 7501 (Entry Summary) or such entry number transmitted through the Automated Broker Interface, as applicable. If the United States is the final destination of the imported bluefin tuna shipment, the original BSD must be mailed to the Regional Director within 24 hours of the time the tuna was imported into the United States. If the United States is the intermediate destination of the bluefin tuna shipment, a copy of the original bluefin tuna statistical document must be mailed to the Regional Administrator within 24 hours of the time the tuna was imported and the original document must accompany the shipment to its final destination. If imported bluefin tuna are tagged, the tag must remain on the carcass until it is cut into portions for domestic commercial use or export. In such case, the tag number and country issuing the BSD must be written legibly and indelibly on the outside of the package.



Export or re-export: For fish first landed in the United States by U.S. flag vessels, enter completely elements (1) through (7) only on those numbered Bluefin Tuna Statistical Documents issued to you as a permitted bluefin dealer. For export of fish previously imported into the United States, enter on the original document accompanying the shipment the name, address, license number, signature and date of the intermediate country importer and the name of the city and state of through transportation. In case of export or re-export, the original document must accompany the shipment to its final destination. A copy of the document must be mailed to the Regional Administrator within 24 hours of the time the tuna was exported.

Reporting and recordkeeping: Allotments of numbered BSDs will be assigned to all federally licensed bluefin tuna dealers. As needed, additional forms may be obtained by contacting the Regional Administrator. BSDs are not transferable, nor are they reusable. Numbered documents may be used only once to report on specific export shipments from the United States. Imports to the United States must be accompanied by BSDs issued by the flag country of the harvesting vessel. U.S. dealers should notify counterpart exporters in foreign countries of these requirements. If needed, foreign exporters may obtain unnumbered BSDs from the Regional Administrator to accompany exports of bluefin tuna to the United States. Dealers must retain copies of completed Bluefin Tuna Statistical Documents for a period of two years from the date the required original documents or copies are submitted to the Regional Director.

Validation Requirements: Shipments of bluefin tuna imported into the United States must be accompanied by a foreign-government validated BSD unless the Assistant Administrator waives the government validation requirement. The Assistant Administrator shall furnish a list of the countries for which waiver of government validation requirements apply. Bluefin tuna shipments exported from the United States shall be exempt from the government validation requirement if the shipments are: (1) identified via bluefin tuna tail tags; or (2) the document is validated by an authorized non-government official. Officials of trade associations may obtain authorization for validating BSDs by contacting the Regional Director.

Penalties: The importer of record of bluefin tuna shipments offered for entry into the United States without original, complete, approved documentation shall be subject to civil and criminal penalties and forfeiture provisions. The importer of record remains liable for any expenses incurred in the storage and/or disposal of bluefin tuna seized or refused entry.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid Office of

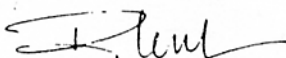
Management and Budget Control Number. NMFS has received an exemption from the display requirement for the expiration date because the Bluefin Tuna Statistical Document is used in international commerce and questions have been raised by customs officials and dealers in other ICCAT member countries. By this cover letter, dealers are notified that this information collection is approved by the Office of Management and Budget (OMB) under OMB Control Number 0648-0040 and expires on October 31, 2000. Note however, that the ICCAT requirements for the Bluefin Tuna Statistical Document Program do not expire on that date and NMFS will seek renewal from OMB prior to the expiration.

Confidential business information will not be released, other than in aggregate form. Whenever data are requested or reports are produced, NMFS ensures that information identifying the pecuniary business activity of a particular dealer is not identified.

Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Chief, Highly Migratory Species Management Division (F/SF1), National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910.

This letter is meant to summarize the regulations pertaining to the Bluefin Tuna Statistical Document. If you have questions concerning the use of the Bluefin Tuna Statistical Document, please contact Chris Rogers at (301) 713-2347, Mark Murray-Brown at (508) 281-9260 or Pat Donley at (310) 980-4033.

Sincerely,



Rebecca Lent
Chief, Highly Migratory Species
Office of Sustainable Fisheries

Enclosures