

OMB Control No. 0648-0335, Fisheries Certificate of Origin

Justification for 1) Changing the FCO submission requirement deadline and 2) Changing the designation of the official responsible for signing the FCO, on the FCO instructions.

Fisheries Certificates of Origin (FCOs) and Associated Certifications (change from 30 days to 10 days submission requirement):

To import tuna, tuna products, and certain other fish products into the United States, FCOs and associated certifications must be filed with both U.S. Customs and Border Protection (CBP; Department of Homeland Security) and NMFS Southwest Region. Current regulations at 50 CFR 216.24(f)(3)(ii) require FCOs and associated certifications to be submitted to NMFS within 30 days of the shipment's entry into the commerce of the United States. However, allowing 30 days to submit the required certifications may hinder enforcement because the products will likely be offered for sale, or purchased or consumed before violations of the regulations governing certification are determined. A proposed rule (RIN 0648-AV37) would revise 50 CFR 216.24(f)(3)(ii) to require that FCOs and associated certifications be submitted to NMFS within 10 calendar days of the shipment's entry into the commerce of the United States, to aid in enforcement of the regulations. Section 50 CFR 216.24(f)(3) continues to require that FCOs covering tuna processed in the United States be submitted only after endorsement by the final processor or exporter.

FCO – Instructions for High Seas Driftnet Certification

The FCO instructions currently state that a responsible government official of the “harvesting nation” must sign and date the High Seas Driftnet Certification for any shipments containing fish exported from or harvested by a large-scale driftnet nation. To be consistent with regulations at 50 CFR 216.24(f)(6)(ii) which cite a responsible government official of the “large-scale driftnet nation” as responsible for this signature, the instructions would be revised to substitute “large-scale driftnet nation” for “harvesting nation”.