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-CITE-

16 USC Sec. 1385

01/07/2011

-EXPCITE-

TITLE 16 - CONSERVATION

CHAPTER 31 - MARINE MAMMAL PROTECTION

SUBCHAPTER II - CONSERVATION AND PROTECTION OF MARINE MAMMALS

-HEAD-

Sec. 1385. Dolphin protection

-STATUTE-

(a) Short title

This section may be cited as the "Dolphin Protection Consumer Information Act".

(b) Findings

The Congress finds that -

(1) dolphins and other marine mammals are frequently killed in the course of tuna fishing operations in the eastern tropical Pacific Ocean and high seas driftnet fishing in other parts of the world;

(2) it is the policy of the United States to support a worldwide ban on high seas driftnet fishing, in part because of the harmful effects that such driftnets have on marine mammals, including dolphins; and

(3) consumers would like to know if the tuna they purchase is falsely labeled as to the effect of the harvesting of the tuna on





















contains tuna harvested in the eastern tropical Pacific Ocean by a fishing vessel using purse seine nets is dolphin safe if -

"(A) the vessel is of a type and size that the Secretary has determined is not capable of deploying its purse seine nets on or to encircle dolphin; or

"(B)(i) the product is accompanied by a written statement executed by the captain of the vessel which harvested the tuna certifying that no tuna were caught on the trip in which such tuna were harvested using a purse seine net intentionally deployed on or to encircle dolphin;

"(ii) the product is accompanied by a written statement executed by -

"(I) the Secretary or the Secretary's designee, or

"(II) a representative of the Inter-American Tropical Tuna Commission,

which states that there was an approved observer on board the vessel during the entire trip and that purse seine nets were not intentionally deployed during the trip on or to encircle dolphin; and

"(iii) the statements referred to in clauses (i) and (ii) are endorsed in writing by each exporter, importer, and processor of the product."

Subsec. (f). Pub. L. 105-42, Sec. 5(b), amended heading and text of subsec. (f) generally. Prior to amendment, text read as follows: "The Secretary, in consultation with the Secretary of the Treasury, shall issue regulations to implement this section not later than 6 months after November 28, 1990, including regulations establishing



title.

-FOOTNOTE-

(!1) So in original. Probably should be "this section".

(!2) So in original. Probably should be "this subsection".



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