# U.S. Seafood Import Monitoring Program
# FACT SHEET

On December 8, 2016, NOAA Fisheries released the final rule establishing the Seafood Import Monitoring Program (SIMP).  The Program establishes, for imports of certain seafood products, the reporting and recordkeeping requirements needed to prevent illegal, unreported and unregulated (IUU)-caught and/or misrepresented seafood from entering U.S. commerce, thereby providing additional protections for our national economy, global food security and the sustainability of our shared ocean resources. This is the first-phase of a risk-based traceability program—requiring the importer of record to provide and report key data—from the point of harvest to the point of entry into U.S. commerce—on an initial list of imported fish and fish products identified as particularly vulnerable to IUU fishing and/or seafood fraud.

## BACKGROUND

As a global leader in sustainable fisheries and a major market for seafood consumption, the U.S. has a responsibility to combat illegal practices that undermine the sustainability of our shared ocean resources.  To that end, in June 2014, a Presidential Task Force comprised of 12 federal agencies was established with the task of working together, coordinating resources and authorities, to develop a comprehensive framework to combat illegal, unreported and unregulated fishing and seafood fraud.  In March 2015, the Task Force issued an "Action Plan" outlining 15 recommendations.  The Task Force was reorganized into the current standing Committee on IUU Fishing and Seafood Fraud under the National Ocean Council, which continues to implement the 15 recommendations. This final rule implements Recommendations 14 and 15 which called for a risk-based traceability program as a means to combat IUU fishing and seafood fraud by excluding illegal and misrepresented fish products from U.S. commerce.

## OVERVIEW

- The final rule reflects and responds to numerous public comments and campaign messages received on the proposed rule (February 2016) and underscores NOAA Fisheries' extensive efforts to establish an effective program that minimizes the burden of compliance on industry while providing the necessary information to identify illegal and/or misrepresented seafood imports before they enter the U.S. market.
- The Seafood Import Monitoring Program establishes permitting, data reporting and recordkeeping requirements for the importation of certain priority fish and fish products that have been identified as being particularly vulnerable to IUU fishing and/or seafood fraud.

- The data collected will allow these priority species of seafood to be traced from the point of entry into U.S. commerce back to the point of harvest or production to verify whether it was lawfully harvested or produced.
- The collection of catch and landing documentation for these priority seafood species will be accomplished through the International Trade Data System (ITDS), the U.S. government's single data portal for all import and export reporting.
- The Seafood Import Monitoring Program is not a labeling program, nor is it consumer facing. In keeping with the Magnuson-Stevens Act authority (under which the regulatory program has been promulgated) and the strict information security of the ITDS--the information collected under this program is confidential.
- The importer of record will be required to keep records regarding the chain of custody of the fish or fish product from harvest to point of entry into U.S.

## LIST OF PRIORITY SPECIES

Abalone *
Atlantic Cod
Blue Crab (Atlantic)
Dolphinfish (Mahi Mahi)
Grouper
King Crab (red)
Pacific Cod

Red Snapper
Sea Cucumber
Sharks
Shrimp *
Swordfish
Tunas: *Albacore, Bigeye, Skipjack, Yellowfin, and Bluefin*

## IMPLEMENTATION

January 1, 2018 is the mandatory compliance date for most priority species listed in the rule, with *shrimp and abalone compliance phased in at a later date. The effective date of this rule for all imported shrimp and abalone products – wild capture and aquaculture-raised - will be stayed until commensurate reporting and/or recordkeeping requirements have been established for domestic aquaculture-raised shrimp and abalone production.  At such time, NOAA Fisheries will announce a compliance date for shrimp and abalone. To that end, NOAA Fisheries is continuing to work with its Presidential Task Force partner agencies with respect to measures that could be adopted to close the gaps and to ensure comparability between traceability requirements and NOAA Fisheries' access to traceability information for imported and domestic shrimp and abalone.

For example, FDA, whose parent agency Health & Human Services is also a member of the Presidential Task Force , is currently exploring which of its authorities could fill the gap, including regulations that would require designating high risk foods for certain additional recordkeeping by food processors. As FDA conducts this work, NOAA Fisheries, together with the other Presidential Task Force agencies, would assess the extent to which FDA's program, or other changes in state or federal law or regulation, have resulted in closing gaps in traceability requirements between domestic and imported shrimp and abalone.

## INFORMATION TO BE COLLECTED

**Harvesting or Producing Entity**
- Name and flag state of harvesting vessel(s)
- Evidence of authorization to fish (permit or license number)
- Unique vessel identifier (when available)
- Type(s) of fishing gear

*Note: The fishing area and type of fishing gear should be specified per the reporting convention and codes used by the competent authority exercising jurisdiction over the wild capture operation. If no such reporting requirements exist, the Food and Agriculture Organization fishing area and gear codes should be used.*

**Fish – What, when and where**
- Species of fish—Scientific/Acceptable market name (ASFIS three-alpha code)
- Harvest date(s)
- Product form(s) at time of landing - including quantity and weight of product
- Area(s) of wild-capture or aquaculture harvest
- Point(s) of first landing
- Name of entity(ies) to which the fish was landed or delivered

*Note: In cases where entries and products comprise more than one harvest event, each event that is relevant to a shipment must be reported but the importer does not need to link each event to a particular fish or portion of the shipment.*

**Importer of Record**
- Name, affiliation and contact information
- NOAA Fisheries issued international fisheries trade permit (IFTP) number.
- Importer of record is responsible for keeping records regarding the chain of custody detailed above.
- Information on any transshipment of product (declarations by harvesting/carrier vessels, bills of lading)
- Records on processing, re-processing, and commingling of product.


All information and materials about the final rule are posted to www.iuufishing.noaa.gov or www.nmfs.noaa.gov/ia

For questions related to requirements of the SIMP, contact Christopher.Rogers@noaa.gov

For questions related to the use of the ITDS, contact Dale.Jones@noaa.gov

For all other inquiries, contact Laurel.Bryant@noaa.gov