



Public Webinar on: Seafood Import Monitoring Program

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Presenter: Eric Staiger, Region Chief

Office of International Affairs and Seafood Inspection (NOAA Fisheries)

Facilitator: NWX-DOC CONFERENCING

Operator: Welcome and thank you for standing by. At this time all participants will be on a listen-only mode until the question and answer session of today's conference. At that time to ask a question over the phone lines please press Star 1 on your phone and record your name at the prompt. This call is being recorded. If you have any objections please disconnect at this time. I would now like to turn the call over to your host Ms. Kerry Turner. Thank you, you may begin.

Kerry Turner: Thank you and welcome everyone. Thank you for joining NOAA Fisheries public webinar on the Seafood Import Monitoring Program. I again this is a public webinar on the Seafood Import Monitoring Program. My name is Kerry Turner. I'm a Communications Specialist here in NOAA Fisheries Office of International Affairs and Seafood Inspection. And we have made a series of public webinars available so you can hear more about the program and ask any questions that you have about the implementation of the Seafood Import Monitoring Program.

We do have a speaker with us Eric Staiger. Eric is a Region Chief in our seafood for the Seafood Inspection Program for our Office of International Affairs and Seafood Inspection. And after will be Eric will be taking you through the presentation and also will be available for questions and offer any answers regarding your inquiries.

And additionally we also have Celeste Leroux. Celeste is the lead for the implementation for the Seafood Import Monitoring Program for NOAA Fisheries. We also have Christopher Rogers. Chris is the Assistant Director for the International Fisheries Division of the Office of International Affairs and Seafood Inspection.

And we also have Dale Jones. Dale is the Fisheries Program Specialist for the Office of Science and Technology for NOAA Fisheries. So we have a really good group of experts here that are available to answer your questions. So we're going to go straight into the presentation and then we'll have - leave a robust amount of time for your questions.

As a reminder a little bit of a housekeeping item here if any reason you are disconnected from the Webinar we have posted a copy of the presentation on our Web portal. And that address is www.iuufishing.noaa.gov again that was www.iuufishing.noaa.gov. Thank you so much and Eric.



Eric Staiger: Very good. Thanks Kerry, welcome everyone. It's good to see so many people taking part in today's Webinar. I'm going to share some background information about the final rule that became effective in January 2017 and walk you through the key points about the Seafood Import Monitoring Program. We will discuss the responsibilities of the importer of record, the 13 priority species that are identified in the final rule, the information that is reported when your shipment enters the United States and the steps that you can take to be ready for the mandatory compliance date of January 1, 2018.

Can I have the next slide or the next graphic Kerry? As you know illegal, unreported and unregulated or IUU fishing and seafood fraud puts law abiding businesses at a competitive disadvantage. Examples of IUU fishing can include fishing without a license or quota for certain species, unauthorized transshipments to cargo vessels, failing to report catches or making false reports, keeping undersized fish or fish that are otherwise protected by regulations, fishing in closed areas or during closed seasons and using prohibited fishing gear. Such illegal activity can also undermine the public's confidence in conservation and fishery management efforts therefore it's important that we work together on the Seafood Traceability Program to prevent IUU fish and misrepresented seafood from entering US commerce.

The Seafood Import Monitoring Program was an outcome of a presidential task force that was convened to address illegal fishing and seafood fraud the multiagency task force was cochaired by the Departments of Commerce and State. The program will help authorities verify that the fish and fishery products are legally obtained by connecting an imported shipment back to its initial harvest event.

As you can see by the timeline on your screen the task force was established in 2014. The proposed rule was released in 2016. The final rule was effective in January of this year and the mandatory compliance date is January 1, 2018. There have been many outreach opportunities to discuss the scope and impact of the traceability program with the public. As a result several changes were made as reflected in the final rule. Here are some examples.

Time was given so that everyone could prepare to meet the January 1, 2018 compliance date. Small scale fisheries may use an aggregated harvest report for the fish that they land in a single day. Another example the priority species will be identified by a three alpha code from FAO's Aquatic Sciences and Fisheries Information System to reduce dead entry at the time of import and the record retention requirements were reduced.

If you haven't done so already I encourage you to visit IUU Fishing and Seafood Fraud Web portal at iuufishing.noaa.gov. You will find a lot of useful information at the site including the public comments, and responses, and the Federal Register notice, a model form to document information about your



imported fishery products, a compliance guide, fact sheet, and answers to frequently asked questions and an overview of the final rule. You can also sign up at that Web site to receive email updates about the program.

Can I have the next graphic Kerry? The Seafood Import Monitoring Program establishes permitting, data reporting and recordkeeping requirements for the importation of fish and fishery products. Here are the key points that you should be aware of. The program applies to seafood entering the United States from a foreign country. The rule also applies to reimported fishery products that were originally harvested in the United States for example fish that are further processed in another country before being reimported into the US.

The importer of record must retain the chain of custody records from the point of harvest to the point that the fishery products enter the United States. The data collected will facilitate audits to trace the imported fishery products back to their point of legal harvest. Harvest event information is submitted to the International Trade Data System at the time of importation. This system is part of the National Customs Automation Program that offers a single window for the trade community to electronically report the information about their shipments. It avoids redundant reporting efforts and reduces the burden as much as possible for the industry. The information collected under this program is confidential. It is considered protected information both under the Trade Secrets Act and under authority of the Magnuson-Stevens Fisheries Conservation and Management Act.

And the next graphic please, thanks. So let's talk about the importer of record. The rule places the responsibility for reporting and recordkeeping on the US importer of record. The foreign exporters and producers do not have to get accounts to submit information to the International Trade Data System. I understand that the importers of record are already familiar with the US Customs and Border Protection's Automated Commercial Environment portal known as ACE.

Once certified this portal will be used to interface the International Trade Data System. The importer of record must obtain NOAA's International Fisheries Trade Permit. They will produce or supply that permit number. And the system will check to make sure that it's valid in order to proceed with the import process. US entities may obtain the International Fisheries Trade Permit now. The application fee is \$30. And it must be renewed every year from the original issue date. The current renewal fee is also \$30.

The importer of record does not need to report all of the chain of custody details like processing, reprocessing, co-mingling and transshipment when the product enters the United States however the importer of record must work with exporters and suppliers to obtain the chain of custody records since those records are reviewed during traceability audits. The rule does not include



prescriptive requirements for the type of records that must be used to document the supply chain. We recognize the seafood industry already has a number of applicable records to choose from including declarations by harvesting or carrier vessel, bills of lading, invoices, processor receipts, catch documents, and even third-party traceability systems.

The task force considered several principles to determine the priority species including enforcement capability, catch documents scheme, complexity of the chain of custody and processing, human health risks, species misrepresentation, history of fishing violations and mislabeling or other misrepresentation. The priority species to be traced were the result of public comment and represent about 40% of the seafood by value that enters US commerce. They are by common name abalone, Atlantic cod, Atlantic blue crab, mahi-mahi, grouper, red king crab, Pacific cod, red snapper, sea cucumber, shark, shrimp, swordfish and tuna.

We want to assure that we have the same traceability information for both domestic and imported fishery products therefore we have delayed the implementation date for shrimp and abalone until some data collection issues are resolved.

Normal customs entry already requires certain information on all imported fishery products. Additional information will be collected for the priority species at the time of import. The additional information or as we call it the National Marine Fisheries Service or NMFS message set will be received electronically by the International Trade Data System and includes name and flag state of the harvesting vessels, authorization to harvest, identification of the vessel, type of fishing gear, name of farm or aquaculture facility, the three alpha code for a species, landing dates, points of first landing, the company name to which the fish was landed or delivered, product form and weight at time of landing and the harvest area.

And the next graphic please Kerry. So let's review the points discussed today. The importer of record must obtain a permit, keep the chain of custody records and report confidential harvest information about their imported shipments of priority species. The information will also be used to facilitate traceability audits.

Now let's turn our attention to the next steps that you can take to be ready for the January 1, 2018 mandatory compliance date. I encourage all stakeholders to become familiar with the information on the IUU Fishing and Seafood Fraud Web portal at iuufishing.noaa.gov. If they have not already done so the importer of record may now collect the chain of custody records keeping in mind that any product harvested now and imported after January 1, 2018 will need that information. They may also apply for their International Fisheries Trade Permit at fisheriespermits.noaa.gov.



And all stakeholders can look forward to future updates about the pilot test that the importer of record may use to assure that their message set is formatted correctly to submit electronic data to the International Trade Data System. The pilot test is not mandatory but it will be fully functional so that importers may assure that their electronic filing is accepted by the system.

You can also look forward to an update of about the advance notice that will be given before we collect information about the imported shrimp and abalone. And look for the proposed rule on the Commerce Trusted Trader Program. The proposed rule will seek public comment on several points like the criteria to be recognized as a trusted trader, requirements to maintain the trusted trader status and benefits of being a trusted trader. And finally reach out to the identified points of contact on your screen if you need their assistance to clarify regulatory requirements or develop software to use the International Trade Data System so you are ready by January 1, 2018. I'll turn the presentation at this point over back to Kerry.

Kerry Turner: Thank you so much Eric. As Eric mentioned and you see on the screen right there we do have a Web portal www.iuufishing.noaa.gov that has a host of information including model forms, aggregated and catch certificates, and the compliance guide by the Seafood Import Monitor Program which is sort of a Q&A document and a fact sheet. We've also translated these documents into multiple languages so we do encourage you to visit www.iuufishing.noaa.gov.

And then also as Eric mentioned this is a time for question and answer. We wanted it – want to have a discussion with you about any questions or concerns that you may have regarding implementation of the Seafood Import Monitoring Program. So (Victor) can you tell the participants how to get into the queue to ask their questions please?

Operator: Absolutely. We will now begin a question and answer session. To ask a question over the phone lines please press Star 1 on your phone. Please make sure it is unmuted and record your name at the prompt. To withdraw your question press Star 2, one moment please for incoming questions.

Kerry Turner: And while we wait for any additional questions we do as a reminder we have in our group of experts today Dale Jones who is the Fisheries Program Specialist with our Office of Science and Technology. And Dale's contact information is on the slide there. He - for questions related to the automated commercial environment - the ITDS. Also [inaudible] pilot testing yes they – Dale would be a wonderful resource for you to reach out to. He's on the line right now and can answer any questions that you have.

Also Christopher Rogers, and as I mentioned Chris is the Assistant Director for the International Fisheries Division for our Office of International Affairs



and Seafood Inspection. And as well as Celeste Leroux, and Celeste's information is up on the screen as well for questions related to requirements of the Seafood Import Monitoring Program. Celeste is our implementation lead for this program. And all three and Eric are available to answer your questions.

Operator: Once again as a reminder to queue up to ask a question please press Star 1 and record your name.

Kerry Turner: Celeste, Dale or Chris did you have anything that you wanted to add our discussion in reference to the Seafood Import Monitoring Program?

Dale Jones: This is Dale. Kerry can you hear me all right?

Kerry Turner: Yes. I can hear you.

Dale Jones: Okay. I would just add then let everybody know that we hope to be moving forward with development in terms of working with software developers in the coming weeks and discussing the implementation guide. So as you talk with your software companies that are assisting you as filers (unintelligible) information together feel free to reach out.

And beyond that we hope to be doing some actual testing in the certification full test environment probably (unintelligible) about late August or perhaps September. And then going into October to November we'll be doing the actual production level testing of testing actual shipments. So again feel free to reach out to me on any of those issues I'm happy to discuss those with you. I'll have my email address there in the presentation. Thank you. That's all.

Kerry Turner: Thanks Dale. We do, as Dale mentioned, we do encourage participation within that pilot testing. And definitely reach out to Dale with any questions regarding that. Again 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. Again January 1, 2018 is the mandatory compliance date for those comments. Chris or Celeste do you have anything to add?

Celeste Leroux: Sure.

Christopher Rogers: Hi. This is Chris Rogers. I'll just make a mention for the message set that was described the harvest event information that will be necessary associated with any of the tariff codes that are reported for species subject to the program has a number of elements. We have received questions in the past about certain things like this species codes, or the gear codes ocean area of catch codes.



We have a default set up for use of the Food and Agricultural Organization of the United Nations. Eric mentioned the Aquatic and Fisheries Information System, Aquatic Fisheries Science Information System. But in many jurisdictions there are prescribed reporting requirements. So those requirements should be adhered to by those harvesting the fish reported at the test reports when the fish are landed and transmitted through the supply chain. But in the event that any particular area of jurisdiction does not have specific code requirements to identify species, gear, ocean area that's where the default would be used for the FAO codes. And we'll point out some guidance on how to use those codes. We have made references on our (unintelligible) iuu.fishing.gov Web site and then the Implementation Guide with the Customs and Border Protection to those FAO resources but we'll try to pull them together in a more user-friendly guide for importers over the course of the summer as we get ready for the pilot test.

Kerry Turner: Thank you Chris. Celeste?

Celeste Leroux: Sure I'll mention a couple of things. So one is that we have hosted a series of these Webinars around the clock to try to accommodate stakeholders in different parts of the world. We do have one more of these scheduled for June 29 of this year. And if you're not able to make that but you still are interested in asking some specific questions or perhaps you represent an industry group that would like to have some dedicated time speaking with our experts we are happy to arrange an opportunity for a special Webinar or a call to go over specific questions that you might have.

We also are happy to work with individual industry parties to do sort of a test audit. Some industry parties have reached out to us and wanted to share their documents and see if this looks like the chain of custody documentation that we're looking for in this program. If either of those opportunities interest you you're welcome to send me an email at celeste.leroux@noaa.gov. It is on your screen if you're watching the Webinar.

And then just to keep (unintelligible) at our resource materials. We are in the process of adding additional content in more languages to improve accessibility. We also hope in the coming weeks to announce Webinars in Spanish and French and we are also hoping to hold a series of meetings next starting next month at least in Miami, Newark, Seattle and Long Beach to further conduct some in person outreach with industry groups at these major seafood import hubs. So check back on our Web site for that information as it comes.

Kerry Turner: Thanks Celeste in particular for that reminder. We do when you go onto the Web portal at iuufishing.noaa.gov there is an area where you can sign up for updates. We'll always post the most recent information there on that Web portal. But if you would like to sign up for regular updates about the seafood



import monitoring program that's where you would go to sign up for those updates.

We do have one question that came through. I see we have one question both on the audio and both on the Web. Can you go ahead (Victor) and give us the question on the audio please?

Operator: Absolutely. Our question comes from Rafael Diego. Your line is open.

Rafael Diego: Hi. This is Rafael from Canadian Fishing Company. I haven't visited the portal yet but can you let us know when we have a shipment coming into the US how much time do we have to submit the catch certificate in the ACE? Does it have to be in prior to the shipment or is there a period?

Eric Staiger: Yes well thank you for the question. My understanding is that has to be entered into the system at the time that it enters the United States. We're not looking for a catch certificate but is looking for some of that specific harvest event information that I mentioned earlier that's actually entered into the electronic system.

Rafael Diego: Okay. I see. And just to clarify there is no grace period from when the shipment arrived or entered the US? There is no grace period of when we can still submit the documents is that correct?

Eric Staiger: Entering the electronic information through the system needs to be entered at the time enters the United States. It cannot be entered after the product enters the United States.

Rafael Diego: Okay thank you.

Eric Staiger: Sure.

Operator: Once again is a reminder - go ahead.

Kerry Turner: No please go ahead (Victor) and let them know how to get into the queue to ask a question please.

Operator: Sure. Once again is a reminder to ask a question over the phone lines press Star 1 and record your name.

Kerry Turner: And while we wait for any question on that end just would like (unintelligible) experts to know we do have a Web question from (Mate) from Tunisia. And the question is, "I did participate in the collaboration of the European IUU procedure in 2009. Are there any differences between the USA's and the EU IUU process?"



Eric Staiger: Well the obvious difference that comes to my mind is that the European Union requires a catch certificate for shipments covering the products that enter the European Union and there is not a catch certificate per se that's required for shipments that are entering the United States. Now a company may use a catch certificate scheme that they have in place as part of their chain of records to document the history of that shipment but that's but a specific catch certificate is not required.

Kerry Turner: Thank you.

Christopher Rogers: That's correct. This is Chris Rogers. Another difference would be that obviously the EU catch certificate requires the flag nation of the harvesting vessel to certify or document that a catch was lawful. The US is just collecting information about that harvest event and we will do the certification with the flag nation or the proper authority in that area of jurisdiction later after the entry process.

So we'll be examining the information. If an entry is subject to audit we'll do that trace back and we will then identify alert and engage with competent authority to confirm that the fish was taken in accordance with the law and regulations within that area of jurisdiction. One other important difference the US program is collecting information on fishing gear that were used to harvest the fish. The EU certificate does not collect that information. So it's important as Eric said if a fishery is involved in trade with the EU and does generate EU catch certificates for that purpose if product is diverted to the US market as well it just has to be noted that the information on fishing gear must be recorded and transmitted.

Kerry Turner: Thanks Chris and Eric. It looks like we have another question on the audio line.

Operator: Perfect so (unintelligible) from (Leo Mews) your line is open.

(Leo Mews): Thank you. And thank you for the opportunity to ask some questions. I work for the Nova Scotia Seafood Alliance. We represent about 50 to 60 processors and shippers and the like. And from what I'm hearing, you know, fish caught in our local waters as you know Canada is a highly, highly regulated fishery. So obtaining this information from our own vessels is more of busy work to get it together than, you know, we know it all exists. My question I guess is we also buy a significant amount of fish and reprocess it here from mostly from Europe for codfish I'm thinking of in the immediate future. But down the road when you folks go to all species there's a significant amount of lobster that leaves the state of Maine, comes to either New Brunswick or Nova Scotia is reprocessed and sent back. So my question is in those instance is the importer required to trace that back to the vessel that caught it or would it be sufficient for the Canadian company to let you folks know that we bought at



let's say from Norway from such and such a broker on such and such a date and it arrived in Canada on the particular date?

Eric Staiger: Well good question. My understanding is you would have to, the importer of record would have to maintain the chain of custody records to document that supply chain from the point of harvest until the product enters the United States. And for fishery products that are covered under this rule if product is harvested in the United States, exported and then returned to the United States the same process would have to be adhered to. The importer of record would have to enter that information at the time it enters the United States and they'd have to be able to document the supply chain, maintain those records at their site for a...

(Leo Mews): For a...

Eric Staiger: ...potential traceability audit.

(Leo Mews): Yes so as a bit of a follow-up we all know obviously it's the importer of record into the United States that your jurisdiction but we all know that the onus will be on the export of record to provide information to the importer of record so they can, you know, they have that information available to them. And I would suspect that if someone is unable or unwilling to provide that than there will be no sale of a fish. So presumably we will have to extend that same requirement to our European sellers and just I would assume ask for it and if it's not forthcoming will have to make sure that particular fish does not make its way to the United States. Does that sound reasonable?

Eric Staiger: It does seem reasonable that there is going to be that collaboration between the suppliers of the fishery product and the importer of record. And I agree that they would have to work together to be able to document and provide that information.

(Leo Mews): Okay. And one final question and then I'll let you go but do you folks have any inkling of when the additional species will begin to come online or are we looking at a year or two or longer periods than that?

Eric Staiger: I don't know the time frame. I think at this point we would focus on the priority species that have been identified by this rule. And any changes that would include additional species would go through a further public announcement and a solicitation for comments and/or a review of those comments before expanding the rule.

Celeste Leroux: Yes this is Celeste. (Leo) just to clarify what Eric says the addition of new species beyond incorporating shrimp and abalone which are currently stayed in the seafood import monitoring program as written now will require a new rulemaking progress to take place. So that is the full proposed rule public



comment final rule and then extensive outreach for any addition of species in the future. So we're looking at a longer time horizon for that.

(Leo Mews): Well thank you for that because on the last Webinar I was under the impression that eventually -- and nobody put a time on eventually -- this would apply to all species of fish imported into the state. So thank you for clarifying that.

Celeste Leroux: Yes that is the intent of the program. It is just a question of when and how we'll get there.

Kerry Turner: Thank you.

(Leo Mews): Yes.

Kerry Turner: We do have - I'm sorry did you have anything to add to the?

(Leo Mews): No I don't.

Kerry Turner: Okay. We do have a question on the Web from (Catherine Boyd). And her question is, "If the products submitted are harvested by multiple types of gear would the system permit that to be recorded? Will the documents require that a certain weight of the total is inscribed to each gear?" Let me just go ahead and repeat that. The question, "If the products submitted are harvested by multiple types of gear would the system permit that to be recorded and will the documents require that a certain weight of the total is ascribed to each gear?"

Eric Staiger: Okay good question. My understanding is that yes if the shipment consists of fishery products that were harvested using different types of gear the different types of gear would have to be identified for the shipment but it would not require a breakdown by weight of that shipment to identify how much of that weight was harvested by each gear.

Dale Jones: This is Dale if I can weigh in.

Kerry Turner: Yes.

Dale Jones: The way that the message set is structured there's the capability of conducting groupings of different harvests together so and that's done by line level. And that's something again that would be helpful at the time your software developers setting up your software. We can run through some scenarios. And we'll have some graph examples that we'll put out in the coming weeks as well to look at so you'll be able to see a sample of something that would occur like that. So for example if you had some longline gear and some first



(unintelligible) gear we would be looking for vessel names and other specific information of that harvest.

So what you would do is you would group the information together for that gear, that vessel that harvest, that weight and there would be cut offs to show where it started and then which parts of the shipment are grouped together. So again it's sometimes more expedient to have your software developer build some of those graphic user interfaces up front so the (unintelligible) for your filers to (unintelligible) extension (unintelligible).

Kerry Turner: Okay thank you very much Dale. It looks like we have another question on the audio line.

Operator: The next question comes from (Marion Sabed). Your line is open. If you pressed Star 1 to ask a question you currently have an open line. Please check your mute button. Okay there we go. Yes, the line is open. So if you pressed Star 1 to ask a question you currently have an open line and are free to speak.

We'll skip on to the next question. And that question comes from (Kirby Britain). Your line is open. (Kirby) you currently have an open line.

(Kirby Britain): Hi. This is (Kirby Britain) from Expeditors. I have a question about the implementation guide. I see that the most recent one that's been posted at least on (unintelligible) is from August 2016. So when will the new one be posted for the additional data elements that are required for this facilities program?

Dale Jones: Yes this is Dale again. We would hope to see that posted within the next few weeks at the latest so sometime right around the first of the month of July. More work at least (unintelligible) details on with CBP now. And we've had the trade user folks take a look at the current one. And that will be posted for this specific program eventually and we'll combine all four programs together. There's three in the program, three programs in the document that you just referenced from last year and we'll combine this with it but we'll put this one out just as a repeated version for this program so you can start working on it in the coming weeks.

(Kirby Britain): Okay thank you Dale.

Dale Jones: Welcome.

Kerry Turner: And (Victor) can you let everyone know one last time how to get into the queue and ask a question?

Operator: Absolutely. If you'd like to ask a question over the phone lines please press Star 1, unmute your phone and record your name when prompted.



Kerry Turner: We do have a question on the Web and this question is from (Jude) in South America and the question reads, "I am a shrimp processor in South America. At the moment do we need to do anything or should we wait until we hear from you?"

Eric Staiger: Yes good question. As was mentioned earlier as I mentioned earlier shrimp and abalone have been stayed at this point in so you can expect and look for a future announcement about when we were require that additional information for abalone and shrimp when that's imported into the United States. I think one thing you can do now is to review the information that is required and ensure that you have the supply documentation a process to accumulate that information and have that information in place. Also keeping in mind that product that is harvested now and then imported after the program applies to shrimp and abalone you would still need that background documentation.

Kerry Turner: Thanks Eric. It looks like I do not see any additional questions so Chris or Dale, Celeste or Eric do you have any remarks to add?

Eric Staiger: No I don't. Thanks Kerry.

Dale Jones: I think I've conferred mine - my information Kerry. This is Dale. Thanks.

Kerry Turner: Okay.

Celeste Leroux: No thanks Kerry and thanks everyone for participating.

Kerry Turner: Thank you everyone for joining us on today's webinar about the Seafood Import Monitoring program. A reminder you can visit the Web portal at www.iuufishing.noaa.gov and you can find the model forms, compliance guide, fact sheets and additional information. And that's where you can also sign up for updates about the Seafood Import Monitoring program. You have a wonderful day or evening depending on your time zone. Thank you so much.

Operator: Thank you for your participation in today's conference. You may now disconnect.

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