



Public Webinar: Seafood Import Monitoring Program

Date: June 5, 2017, 3:00 pm CT

Presenter: Eric Staiger, Region Chief

Office of International Affairs and Seafood Inspection (NOAA Fisheries)

Facilitator: NWX-DOC CONFERENCING

Coordinator: And thank you for standing by. At this time all participants are in a listen-only mode until the question and answer session of today's conference. At that time you may press Star 1 on your phone to ask a question. I would like to inform all parties that today's conference is being recorded. If you have any objections you may disconnect at this time. I would now like to turn the conference over to Celeste Leroux. Thank you, you may begin.

Celeste Leroux: Thank you very much (Tara) and thank you everyone for joining us for today's Webinar on the Seafood Import Monitoring Program. My name is Celeste Leroux and I coordinate implementation of the Seafood Import Monitoring Program for NOAA Fisheries Office of International Affairs and Seafood Inspection.

I'm joined today by two of my colleagues Eric Staiger - he is the Chief of the Northwest Region for the Seafood Inspection Program which is part of the Office of International Affairs and Seafood Inspection as well as Dale Jones, Fishery Management Program Specialist for the NOAA Fisheries Office of Science and Technology.

If at any time you're not able to see the Webinar portion of this Webinar you can visit us at www.iuufishing.noaa.gov. At that Web site you will find a PDF of this presentation as well as transcripts and recordings of previous Webinars and additional referenced materials. After this presentation we'll open up to a question and answer session. (Tara) will guide you through how to pose questions in the format. At this time I'd like to turn over to my colleague Eric to give our intro presentation.

Eric Staiger: Thanks Celeste and 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 we have the next graphic please Celeste? Good. 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 multi-agency task force was co-chaired by the Departments of Commerce and State. The program will help authorities verify that the fish and fishery products were illegally obtained by connecting it 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. The priority species will be identified by a three alpha code from FAO's Aquatic Sciences and Fishery Information System to reduce data entry at the time of import and record retention requirements were reduced.

If you haven't done so already I encourage you to visit the 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 in 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 to receive emailed updates about the program.

The Seafood Import Monitoring Program establishes permitting, data reporting and recordkeeping requirements for the importation of fish and fishery products. Here are 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 other country if 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. And the information collected into this program is confidential. It is considered protected information both under the Trade Secrets Act and under authority of the Magnuson-Stevens Fishery Conservation and Management Act.

Can we have the next graphic please? Okay good. So let's talk about the importer of record. This 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. One certified of this portal will be used to interface with 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 a 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 the 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 that 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 comprehensive third-party traceability systems.

You can see on your screen the 13 priority species are identified. 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 required 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 it includes the name and flake state of the harvesting vessels, the authorization to harvest, identification of the vessel, type of fishing gear, name of farm or aquaculture facility, the three alpha code for the species, landing dates, points of first landing, the company name to which the fish was landed or delivered, the product form and weight at the time of landing and the harvest area.

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 event related information about their imported shipments of the priority



species. The information will be used to facilitate traceability audits. And 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.

Again I encourage all stakeholders to become familiar with the information on the IUU Fishing and Seafood Fraud Web portal and 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 set test is not mandatory but it will be fully functional so that importers can insure – can assure that their electronic filing is accepted by the system.

Advanced they can also look forward to advanced notice before we collect information about shrimp and abalone. And look for the proposed rule on a 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 a trusted trader status and the 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 that you are ready by January 1, 2018. And Celeste I think with that we're ready to answer some questions.

Celeste Leroux: Okay. Thank you very much Eric for your presentation. And just to reiterate to our participants if you'd like to receive any of the additional reference materials, a copy of this PowerPoint presentation you can find all of that at www.iuufishing.noaa.gov. If you have questions that aren't answered today they're welcome to email me at celeste.leroux@noaa.gov or if your questions are specific to the automated commercial environment, ITDS and entry filing or pilot testing you're welcome to email my colleague Dale Jones dale.jones@noaa.gov. With that I'd like to turn this over to (Tara) to share with you how you can ask questions?



Coordinator: Thank you. We will now begin the question and answer session. If you would like to ask a question please press Star 1, unmute your phone and record your name clearly. If you need to withdraw your question press Star 2. Again to ask a question please press Star 1. It will take a few moments for the questions to come through. Please stand by. Again as a reminder if you would like to ask a question please press Star 1 on your phone and record your name. Our first question comes from (Julie Ann Smith) from Orca Bay Seafoods. Your line is open.

(Julie Ann Smith): Oh okay. We have a question about have you experimented all or worked with Blockchain technology to try and capture some of this information? We're trying to figure out how to maybe implement that so we can capture this information and how we verify it. That's our biggest thing is how we verify the information we're getting and it's correct up to the point where we deliver to our plants overseas to process?

Eric Staiger: Yes, Dale I'm not sure - I'm not familiar with that question.

Dale Jones: Well basically the chain of custody is something that you'll be working out with your suppliers. We've started to do a few different table talk exercises just to look at what kind of documentation some of these companies are keeping and what they can provide. So depending on the normal set of paperwork that you keep and the companies that you deal with you probably need to just start now is a good time to look at the history of this product. If you get pitfalls under one of these species and then start tracking that back to the other suppliers and see what you can determine and validate what documents you can collect on the date and provide. We find that most of the modern fisheries these days are keeping this up in automated records or have information with respect to certain points already on that. So it's sort of a case by case basis depending on the product that species falls under the suppliers that you're using.

(Julie Ann Smith): So we're going to depend on each supplier that we're buying from to go backwards through the chain and supply the information?

Dale Jones: That's essentially it yes that's correct.

(Julie Ann Smith): Okay.



Eric Staiger: And this is Eric. I would add that now would be a good time instead of going backwards is just to go forwards. There's many times documents that are created along the supply chain and those records exist. Now it's just a matter of bringing them forward so they're in the possession of the importer of record.

(Julie Ann Smith): Okay. I guess we get everything up to the point where I think where we're having trouble is when the first catch of the product the date of the first catch with what because then the product comes in it's all kind of intermingled.

Man: Yes. We don't buy from the boat. We – it's the plants that processes the fish.

Eric Staiger: I understand. And so I think now is the opportunity before the mandatory compliance date is to work out to work with the suppliers right back to the initial harvest event to find out how that information can be documented and then brought forward with that fish.

Man: What about farmed fish? It's not applicable?

Dale Jones: Yes it is. The aquaculture species will also be documented. And as you again buy from the suppliers they'll have their obligations in that as well as to what they retain in the information or say (propriety) as when the fish was harvested from the aquaculture facility, or and/or when it was collected and inspected by a group of small harvesters.

Man: So you - so there needs to be some type of a document with the farm name, and harvest date and quantity I mean just like the fishery certificate?

Dale Jones: Yes. Very similar to that, you're correct. And there's some exception if they're very small aquaculture facilities and if there's a collector so in other words in some cases where there's a nearby fishery you'll have a company that will go around to the different aquaculture facilities and collect the information. So if they go back at least to that point to the person who collected the data but if it's any sizable operation they'll want to know the names of information on the aquaculture facility.

Man: So is that a like a self-generated document or what is it that we provide in that case?



Celeste Leroux: So this is Celeste. I'll just chime in here and say that we are not demanding than any particular form be completed to fulfill the data requirements of this program. However, if you don't have any paperwork that you already fill out and would like some we have prepared model catch certificates for both regular fisheries and small scale harvests. And you can find both of those on our Web portal www.iuufishing.noaa.gov. And if you would like to sort of run through an independent case study for your company or for a particular shipment you're welcome to email myself and Dale and we're happy to walk you through that.

(Julie Ann Smith): Okay.

Coordinator: And again as a reminder if you would like to ask a question please press Star 1 on your phone and record your name, one moment.

Celeste Leroux: Thanks. And while we're waiting for our next question I just wanted to note that our experts online today are Dale Jones with the Office of Science and Technology as well as Chris Rogers. He's Assistant Director for International Fisheries at the NOAA Fisheries' Office of International Affairs and Seafood Inspection.

Chris Rogers: Thank you Celeste. Can you hear me? This is Chris Rogers?

Celeste Leroux: Yes, we can hear you.

Chris Rogers: Excellent thanks.

Coordinator: Our next question comes from (Bobby Ewing). Your line is open.

(Bobby Ewing): Hi. Can you hear me?

Eric Staiger: Yes I can.

Chris Rogers: Yes.

(Bobby Ewing): Hi Eric this is (Bobby). We've...

Eric Staiger: Hi (Bobby).



(Bobby Ewing): ...talked before. Hi. So just to follow-up to what was just said I think it's by Celeste she said there's a model of a catch certificate on your Web site that IUU Web site?

Eric Staiger: That's right. That's what I understood.

(Bobby Ewing): Yes. So I'm there. And if she could point me to the link I would love to see the model of a proposed certificate that we can supply to our customers.

Eric Staiger: Well she can't do that now because we're on the conference call I'd be happy to help you if you give me a call maybe off-line after the conference call.

Celeste Leroux: Yes.

(Bobby Ewing): Yes.

Celeste Leroux: I think I can probably help you out. If you're on the main portal page on the right-hand lower column you're going to see a button that says US Seafood Import Monitoring Program. If you click on that it will take you to the page specific to this program rather than the IUU task force as a whole. And then on the right-hand side of that Web page you're going to see a tab or an area of resource materials. And it is in that list.

(Bobby Ewing): Okay.

Celeste Leroux: It's called Model Forms.

(Bobby Ewing): Okay. I must not be on this page. I'm on the iuufishing.noaa.gov page. And on the right-hand side there's a hot topics column. So I clicked one of the Hot Topics...

Celeste Leroux: Yes. You're going to click the first thing below Hot Topics.

(Bobby Ewing): It says US Seafood Import Monitoring Program?

Celeste Leroux: Correct.

(Bobby Ewing): Okay. And can you direct me from there?

Celeste Leroux: Yes. You see an area of that says Resource Materials in red on the right side?



(Bobby Ewing): I do.

Celeste Leroux: Okay. So right under the resource materials the first thing there is model form for aggregated catch certificate.

(Bobby Ewing): Okay, I've got it.

Celeste Leroux: Okay.

(Bobby Ewing): Okay. So this is an example of a document that we might generate by filling in the different information like the flag state, the catch area, things like that?

Celeste Leroux: That's correct.

(Bobby Ewing): Oh, this is super helpful.

Celeste Leroux: Okay great.

(Bobby Ewing): Yes, yes.

Celeste Leroux: And feel free to contact us if you have any specific questions.

(Bobby Ewing): Yes. I think it might be helpful for us to provide it to our buyers as a way to talk about how to provide them the information.

Celeste Leroux: Great.

(Bobby Ewing): Yes okay. That's super helpful. Thank you.

Coordinator: If you would like to ask a question please press Star 1 on your phone and record your name, one moment.

Celeste Leroux: Great, while we're waiting for any additional questions I'll just run through again on our Web portal at www.iuufishing.noaa.gov again you want to click on the Hot Topic called US Seafood Import Monitoring Program. And it will lead you to the page with all the information on our public meetings. We have a number of Webinars coming up.



We are also in the stages of planning in person roundtables in the United States. And this will be where we post all of that information. You can also find resource materials which include the model forms we just discussed, a compliance guide which is there's a question, answer common language version of the Seafood Import Monitoring Program as well as a fact sheet, a copy of the final rule which is where you can find all of the HTS codes that this program applies to in its first day and additional materials on previous public meetings and the Trusted Trader Program.

Coordinator: If you would like to ask a question please press Star 1 on your phone and record your name. The next question comes from (Julie Ann Smith) of Orca Bay Seafoods. Your line is open.

(Mike): Hi. This is (Mike) not (Julie Ann). My understanding for the smaller fisheries is that it's for example if they were trans-loading to a mothership how - I understood there was a certain size of about where under that size didn't need to furnish a certificate? Is that correct? I thought it was like 12 meters in length.

Eric Staiger: And maybe someone on the line can help me with the specific length of the vessel but you're right for small scale fisheries there is an accommodation where they can use an aggregated document to collect that information.

Chris Rogers: Hi. This is Chris Rogers. Yes that's correct. It's the allowance for aggravated aggregated cash certificates for small scale vessels. Small scale vessels are designated as less than 12 meters length overall or less than 20 gross tons. So those vessels can assemble their fish at a (concha) point like a mothership if they're at sea, or in a port or beach and then one catch certificate can be reported for all of the aggregated catches of that day.

(Mike): So what's the name of the vessel on the document? Is it the mothership's name?

Chris Rogers: We don't require the name of each of the catching vessels but yes if the mothership should identify themselves as a collector. Likewise, if it's collected at a beach or a port the fish collector fish aggregator whether it's a processing plant or a fish transporter it would indicate their name as the receiver what we call the first receiver should be recorded.

(Mike): Okay.



Coordinator: If you'd like to ask a question please press Star 1 on your phone and record your name, one moment.

Celeste Leroux: While we're waiting for any additional questions I'll just mention again that the mandatory compliance date for the Seafood Import Monitoring Program is January 1 of 2018. In advance of that we will be implementing a pilot testing phase and notifying you that - of one that is available both on our Web site and through email updates. If you'd like to receive those again you can find that on our Web site. You're also welcome to email me if you'd like to receive updates in the future about our program. And the pilot testing should happen in the coming months and provide ample time for you to be set up for entry filing into ACE with these additional data elements.

Again you can find all of this material at www.iuufishing.noaa.gov as well as any future material that we may post will all show up there. Since we don't have any new questions I just want to thank you for participating in this Webinar. We very much appreciate your joining us today. I'd like to just hand it over to (Tara) for any closing notes.

Coordinator: That does conclude today's conference. Thank you for participating. You may disconnect at this time. Speakers please allow a moment of silence to standby for the post conference.

END