



Public Webinar: Seafood Import Monitoring Program

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Office of International Affairs and Seafood Inspection (NOAA Fisheries)

Facilitator: NWX-DOC CONFERENCING

Coordinator: Welcome and thank you for standing by. At this time, all participants will remain in a listen-only mode for the duration of today's conference. Today's call is now being recorded. If you have any objections, you may disconnect at this time.

At the end of today's conference, we will be holding a question-and-answer session, and if you would like to ask a question, you may press Star, then 1.

I would now like to turn the conference over to Kerry Turner. Thank you. You may begin.

(Sunai): ((Foreign Language Spoken: 0:00:29.4)).

Kerry Turner: Welcome, everyone. My name is Kerry Turner. Thank you for joining us for this webinar on the U.S. Seafood Import Monitoring Program.

(Sunai): ((Foreign Language Spoken: 0:00:28.4-0:01:41.0)).

Kerry Turner: The speaker today is (Heather Brandon), and (Heather) will be taking us through a short presentation about the program.

(Sunai): ((Foreign Language Spoken: 0:01:54.6)).

Kerry Turner: Additionally, we have various people on the phone from our NOAA Fisheries Office of International Affairs and Seafood Inspection.

(Sunai): ((Foreign Language Spoken: 0:02:19:08)).

Kerry Turner: The experts that I mentioned are (Chris Rogers), who is our Assistant Director.

(Sunai): ((Foreign Language Spoken: 0:02:49.5)).

Kerry Turner: (Celeste Leroux), who is the lead for the Seafood Import Monitoring Program.

(Sunai): ((Foreign Language Spoken 0:03:05.4)).

Kerry Turner: And, additionally, we have (Dale Jones) from our office of Science and Technology. He is a Fisheries Program Specialist at NOAA Fisheries.



(Sunai): ((Foreign Language Spoken: 0:03:21.8)).

Kerry Turner: So, with that, let's go ahead and begin. (Heather), would you begin the presentation, please?

(Sunai): ((Foreign Language Spoken: 0:03:39.6))?

(Heather Brandon): Hello to all the participants on the phone. I want to introduce myself, also. My name is (Heather Brandon). I am with NOAA Fisheries Office of International Affairs and Seafood Inspection.

(Sunai): ((Foreign Language Spoken: 0:03:58.9)).

(Heather Brandon): I'm going to provide you with a brief background on past U.S. activities to address IUU - Illegal, Unreported and Unregulated Fishing.

(Sunai): ((Foreign Language Spoken: 0:04:26.7)).

(Heather Brandon): I will then outline the development of the Seafood Import Monitoring Program, the data entry requirements for importing the 13 Priority Species to the U.S., and the recordkeeping responsibilities for the U.S. Importer of Record.

(Sunai): ((Foreign Language Spoken: 0:05:03.7)).

(Heather Brandon): And then I will wrap up my presentation, which should allow us for plenty of time for your questions and for us to engage in discussion.

(Sunai): ((Foreign Language Spoken: 0:05:32.2)).

(Heather Brandon): Okay, next slide, Kerry.

From this timeline, you can see that activity to address IUU began in 2014, when the President established a multi-agency Task Force. The agencies on the Task Force, which included NOAA, developed recommendations to combat IUU fishing and seafood fraud.

(Sunai): ((Foreign Language Spoken: 0:06:12.7)).

(Heather Brandon): One of the recommendations by the Task Force was to implement a traceability program to track seafood from the point of harvest to entry into U.S. commerce.

(Sunai): ((Foreign Language Spoken: 0:06:52.6)).



(Heather Brandon): During the development of the Seafood Import Monitoring Program, NOAA Fisheries engaged the public and stakeholders through the process of rulemaking, and we received and addressed public comments on both the proposed and the Final Rule to establish the Seafood Import Monitoring Program.

(Sunai): ((Foreign Language Spoken: 0:07:46.2)).

(Heather Brandon): The last point on the timeline is actually a point in the future, January 1, 2018. That will be the mandatory compliance date for U.S. Importers of Record to report harvest data and to keep Chain-of-Custody records.

(Sunai): ((Foreign Language Spoken: 0:08:29.3)).

(Heather Brandon): Next slide, Kerry.

The Seafood Import Monitoring Program requires additional data to be reported. This program is essentially a permitting, data reporting and recordkeeping program.

(Sunai): ((Foreign Language Spoken: 0:09:22.0)).

(Heather Brandon): So, who will get the permits, and report the data and keep the records? It is the U.S. Importer of Record who will obtain an International Fisheries Trade Permit.

(Sunai): ((Foreign Language Spoken: 0:09:59.9)).

(Heather Brandon): It is the U.S. Importer of Record who will report the harvest data to Customs and Border Protection at the time of entry filing, and it is the U.S. Importer of Record who will keep the records for two years, regarding Chain of Custody.

(Sunai): ((Foreign Language Spoken: 0:10:33.2)).

(Heather Brandon): It is these data and records that will allow NOAA to verify that the seafood product was harvested and produced lawfully. The data is confidential, and it will be reported to NOAA through the International Trade Data System, which is integrated with Customs ACE Portal.

(Sunai): ((Foreign Language Spoken: 0:11:17.0)).

(Heather Brandon): The Seafood Import Monitoring Program will also apply to seafood products that are harvested in the U.S., then exported and reimported to the U.S., if that product is one of the Priority Species.



(Sunai): ((Foreign Language Spoken: 0:12:12.8)).

(Heather Brandon): Next slide, Kerry.

So, what are the Priority Species? If you look at this box with the 13 species, they are abalone, Atlantic cod, Atlantic blue crab, dolphinfish - which is also called mahi-mahi, grouper, red king crab, Pacific cod, red snapper, sea cucumber, sharks, shrimp, swordfish and tuna.

(Sunai): ((Foreign Language Spoken: 0:13:03.8)).

(Heather Brandon): However, you should note that abalone and shrimp have a postponed effective date. We're postponing them until they have comparable domestic reporting and recordkeeping requirements. But you should rest assured that NOAA will provide adequate notice to you, the seafood community, so that you're able to comply with the program when those species become effective.

(Sunai): ((Foreign Language Spoken: 0:14:00.7)).

(Heather Brandon): For these Priority Species, NOAA will require information about harvest and landing. But what specifically will be reported? Take a look at the Harvesting or Producing entity box at the top, and the Fish: What, When and Where box, below it.

(Sunai): ((Foreign Language Spoken: 0:15:03.8)).

(Heather Brandon): The U.S. Importer of Record will tell NOAA the name and flag of the harvesting vessel, the fishing permit number, a unique vessel identifier, if there is one, the gear type, if it's an aquaculture product, then the name of the facility, the fish species, the landing date, the point of first landing and the name of the entity where the fish was landed or delivered, the product's form and weight and the harvest area or the aquaculture area.

(Sunai): ((Foreign Language Spoken: 0:16:02.1)).

(Heather Brandon): These harvest and landing data will be reported by the U.S. Importer of Record. That's if you look at the last box on the lower right box. The Importer will need an International Fisheries Trade Permit Number in order to enter the data at the time of entry-filing.

(Sunai): ((Foreign Language Spoken: 0:17:19.2)).

(Heather Brandon): The U.S. Importer must also keep on file Chain-of-Custody records, such as information on trans-shipment, reprocessing and comingling, for two years.

(Sunai): ((Foreign Language Spoken: 0:18:08.0)).



(Heather Brandon): Okay, next slide, Kerry.

Okay, this is my final slide. The mandatory compliance date for reporting data on the Priority Species is January 1, 2018, except for abalone and shrimp. At the web address listed here, www.iuufishing.NOAA.gov, we have produced some documents: a Fact Sheet and the Compliance Guide.

And we also list additional Webinars that might be announced in the future on that Web page.

(Sunai): ((Foreign Language Spoken: 0:19:35.6:0-0:20:40:08.0)).

(Heather Brandon): NOAA is currently working with Customs and Border Protection, right now, to provide a test phase for U.S. Importers that will happen this year and prior to the compliance date.

(Sunai): ((Foreign Language Spoken: 0:20:55.2)).

(Heather Brandon): And finally, email contact information is provided on this slide for two of NOAA's subject Matter Experts, and they are also on the phone - (Celeste) and (Dale). And they're here to help me answer your questions. So, now we have time for questions and discussion.

(Sunai): ((Foreign Language Spoken: 0:21:33.7)).

(Heather Brandon): So, thank you very much, and I will turn the phone back over to Kerry.

(Sunai): ((Foreign Language Spoken: 0:22:09.0)).

Kerry Turner: Thank you so much, (Heather).

So, now we're going to go ahead and open up this discussion for your questions. And again, we have both (Celeste) and (Dale) on the phone, along with (Heather). And additionally, (Chris Rogers) will be able to answer your questions tonight.

(Sunai): ((Foreign Language Spoken: 0:22:43.3)).

Kerry Turner: Operator, would you let us know how we can submit questions?

(Sunai): ((Foreign Language Spoken: 0:23:11.5))?

Coordinator: Thank you. At this time, we will start the question-and-answer session. If you would like to ask a question over the phone lines, please press Star, then 1, at



this time. Again, please press Star, then 1, if you'd like to ask a question at this time.

(Sunai): ((Foreign Language Spoken: 0:23:33.1)).

Coordinator: Thank you. Our first question comes from (Kana Thorpe). Your line is now open.

(Sunai): ((Foreign Language Spoken: 0:24:07.4)).

Coordinator: Please check your mute function.

(Kana Thorpe): Can you hear me?

Coordinator: Yes, thank you.

(Kana Thorpe): Okay. Excellent. You mentioned in your attached document that you've tried to minimize as much burden as possible on the U.S. Importers, regarding this SIMP problem. I'd like to know how you minimized that requirement - burdens - for those Importers. If you can elaborate on that (part), please?

(Sunai): ((Foreign Language Spoken: 0:24:49.6)).

Kerry Turner: (Celeste) or (Dale) - or, I mean (Celeste) or (Chris) - since you have the background, would one of you like to take that question?

(Chris Rogers): Yes. This is (Chris). I'll take the question. The question - how did we minimize the data elements or the data reporting requirements for U.S. Importers. What we did - we examined the data elements that would be critical to identify the harvest events. Can we have translation for that?

(Sunai): Oh, okay.

((Foreign Language Spoken: 0:26:01.6)).

(Chris Rogers): So, we identified those key data elements that would describe the harvest event, as you saw on the slide that (Heather) presented: who caught the fish, their fishing authorization, where and how the fish were caught; similarly, for an aquaculture product, where the facility exists and what the authorization was for that facility.

(Sunai): ((Foreign Language Spoken: 0:27:03.1)).

(Chris Rogers): So, the full supply chain, for traceability, we've made a recordkeeping requirement, again, to minimize the data that needed to be reported during the



entry process. So, that would establish a tradeback point, and then the Importer would keep all of the supply chain records for that Chain of Custody.

(Sunai): ((Foreign Language Spoken: 0:27:58.7)).

(Chris Rogers): So, if a particular entry - a shipment - is selected for audit, we would use the records supplied by the Importer to trace back from the point of entry into the United States through the supply chain back to the harvest event that was reported.

(Sunai): ((Foreign Language Spoken: 0:28:53.5)).

(Chris Rogers): So, I hope that explains how we have minimized the data reporting requirements for the U.S. Importer to expedite the entry process and keep the full Chain-of-Custody records as a recordkeeping requirement, only to be produced upon audit.

(Sunai): ((Foreign Language Spoken: 0:29:54.7)).

Kerry Turner: Hello, (Kana), does that answer your question?

(Kana Thorpe): Please, can I clarify the last point? You're saying the documents to be produced upon audit? Is that what you said? So, I couldn't hear very well at the end.

(Chris Rogers): Okay, yes. Shipment that was selected for auditing, then the U.S. Importer would have to produce the whole Chain-of-Custody records.

((Crosstalk))

(Sunai): ((Foreign Language Spoken: 0:31:11.7)).

Kerry Turner: (Kana), was there anything else you wanted to mention before we go to the next question?

(Kana Thorpe): No, that's it. Thank you very much.

Kerry Turner: Thank you.

(Sunai): ((Foreign Language Spoken: 0:32:04.0)).

Coordinator: Thank you. Our next question comes from (Koda Mondragon). Your line is open.

(Sunai): ((Foreign Language Spoken: 0:32:19.8)).



(Koda Mondragon): Hi. Am I correct in understanding that the Import-Export license issued through the U.S. Fish and Wildlife Service is different than the International Fisheries Trade Permit?

(Chris Rogers): This is (Chris). I'll answer that question. And yes. It is different. The Fish and Wildlife Service has authority under a different statute and a different regulatory structure, primarily for the Convention on International Trade in Endangered Species or Sightings. Can we translate that?

(Sunai): Okay.

((Foreign Language Spoken: 0:33:14.8)).

(Chris Rogers): Additional authority for Fish and Wildlife Service is under the U.S. Endangered Species Act. So, the Fish and Wildlife Service does identify certain fish and wildlife products (to come under these) live animals for a permitting process for Import-Export to the United States, and that is separate from the NOAA program for the Seafood Import Monitoring.

(Sunai): ((Foreign Language Spoken: 0:34:34.4)).

Kerry Turner: (Koda), does that answer your question, or did you have any other questions for us?

(Koda Mondragon): No, that's good. Thank you very much.

(Sunai): ((Foreign Language Spoken: 0:35:26.4)).

Kerry Turner: Operator, can you remind us once again how to submit a question?

Coordinator: Yes, thank you. Once again, if you'd like to ask a question, please press Star, then 1, on your phone at this time.

(Sunai): ((Foreign Language Spoken: 0:35:50.5)).

Kerry Turner: And while we wait for questions, a reminder. For materials about the Seafood Import Monitoring Program, please visit our Website at www.iuufishing.NOAA.gov.

(Sunai): ((Foreign Language Spoken: 0:36:28.2)).

Kerry Turner: There are a tremendous amount of materials on that Website including, Fact Sheets, the Compliance Guide, the Implementation Guide, and these materials are available in multiple languages.

(Sunai): ((Foreign Language Spoken: 10:37:11.2)).



Kerry Turner: Operator, the next question, please.

Coordinator: Yes, thank you. Our next question comes from (Yukito Narasawa). Your line is open.

(Yukito Narasawa): ((Foreign Language Spoken: 0:37:47.7)).

(Sunai): ((Foreign Language Spoken: 0:37:50.1)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:37:53.6)).

(Sunai): ((Foreign Language Spoken: 0:37:57.1)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:37:57.5)).

(Sunai): ((Foreign Language Spoken: 0:38:16.7)).

((Crosstalk))

(Yukito Narasawa): ((Foreign Language Spoken: 0:38:20.7)).

(Sunai): ((Foreign Language Spoken: 0:38:22.6)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:38:23.7)).

(Sunai): ((Foreign Language Spoken: 0:38:40.6)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:38:44.6)).

(Sunai): ((Foreign Language Spoken: 0:38:46.3)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:38:50.7)).

(Sunai): ((Foreign Language Spoken: 0:38:50.7)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:38:54.0)).

(Sunai): Okay. My name is (Yukito Narasawa), and I have three questions. And my first question is 13 Priority Fish. And I would like to know why and how did you determine these are the prioritized fish? That was my first question.

And then, second question is - sorry, I need to check my - the couple of fishes, like sea cucumbers, and then, shark, and then (CUT-TLE) - let me see.

(Yukito Narasawa): Grouper.



(Sunai): ((Foreign Language Spoken: 0:39:41.2)).

(Yukito Narasawa): ((Foreign Language Spoken: 0:39:44.0)).

(Sunai): (GRU-TA). ((Foreign Language Spoken: 0:39:49.2)).

Those have a lot of types of fish required. I would like to know why so many different kinds of fish, there, are required.

Number 3, my question is, in the future when you expand the type of fish, so are you thinking of developing or expanding the type of Japanese-made, Japanese fish species, in the future? That's my third question.

(Heather Brandon): This is (Heather). Thank you for asking those questions. You asked why the 13 species. These species were - rose to the top through an analysis that NOAA conducted for species that were the most at-risk of IUU harvest, and they are part of a first phase of this Program.

The intention is for the Program to be, eventually, expanded to all seafood species and products. And some of the species on the list might be a single genus and species, and some might be multiple. And that was - the reason for doing that was to get at the category that was most at-risk of IUU harvest or of seafood fraud, like mislabeling.

(Sunai): ((Foreign Language Spoken: 0:41:53.2-0:43:15.5)).

(Heather Brandon): Does that answer your questions?

(Sunai): ((Foreign Language Spoken: 0:43:21.2))?

(Yukito Narasawa): ((Foreign Language Spoken: 0:43:26.6)).

(Sunai): Thank you so much.

And in Number 2, I believe you covered in Number 2, as well, so I would like to move on to Number 3, now.

(Heather Brandon): Okay, as I understand it, your third question was when we expand the Program, will it be expanded to Japanese specie? And hopefully, I understood the question right.

And the intention is to expand this Program to all seafood species that the U.S. imports. So, any seafood imports, the intention is that this Program would be expanded at some point in the future to all imported seafood species.



(Sunai): ((Foreign Language Spoken: 0:44:27.6)).

(Celeste Leroux): This is (Celeste Leroux). I just wanted to note for our participant that future expansion of the program to include additional species would be done through a new rulemaking, with additional public comments.

(Sunai): ((Foreign Language Spoken: 0:45:15.8)).

Kerry Turner: Thank you so much.

We do have another question. Operator, please?

Coordinator: Yes, thank you. Our next question comes from (Jun Sakai). Your line is open.

(Jun Sakai): ((Foreign Language Spoken: 0:45:53.7))?

(Sunai): My name is (Jun Sakai), and I have a question about Chain of Custody. So, that I believe that the Importer (registrar) would need to do this, but the Chain of Custody - then I kind of would like to know more elaboration of that meaning. Such as, what it is.

What kind of recordkeeping, tracking-keeping. What kind of records I have to keep, or that they have to keep track of? Or there's any guidance in your Website that we can visit.

So, I would like to know more about Chain of Custody, in detail, and then, so I can visualize what would be what kind of paperwork I would expect if I were that position.

(Heather Brandon): (Dale), do you want to?

(Dale Jones): I'm happy to. Thank you, Mr. (Sakai), for your question.

The Chain-of-Custody records will involve different documents for different species and different supply chains. Can you translate?

(Sunai): ((Foreign Language Spoken: 0:47:46.5)).

(Dale Jones): On our Website, we do have a model catch and supply chain forms that you can look at that will give you a relatively good idea what types of information will be sought.

(Sunai): ((Foreign Language Spoken: 0:48:36.3)).

(Dale Jones): However, we have left the details of these requirements open for the supply chain participants to collaborate together to determine what exists, and what



they may need to create, to show the entire Chain of Custody of this product in the supply chain.

(Sunai): ((Foreign Language Spoken: 0:49:17.0-0:50:28.8)).

(Dale Jones): And, finally, we are working with some individuals to try to produce examples that we hope to post in the future of the types of supply chain documents that will be what we are looking for.

(Sunai): ((Foreign Language Spoken: 0:50:45.3)).

(Heather Brandon): Do you have any additional questions?

(Sunai): ((Foreign Language Spoken: 0:51:17.4))?

(Jun Sakai): ((Foreign Language Spoken: 0:51:25.4))?

(Sunai): Yes, I would like to continue in the next question from me. I visited your Website and Webpage, and I found a lot of useful tools. And one of them, I found the model of the catch certificate.

And it seems a very useful, and I would like to know more, such as intention of this certificate. How did you make, or what the intention of making this model of catch certificate so that I can understand the concept and, rationally, what I am understanding correct. I would like to know this question, the model of catch certificate details.

(Dale Jones): Yes, the purpose of the model was to simply give people such as yourself an idea of what would be required.

However, the more specific requirements will be to look at each point in the supply chain, from harvest through shipment, and processing of the specific fish in the import or export from your country, and to be able to document who was involved, and where each point in the supply chain occurred, and what happened to the fish at each point in the supply chain.

(Sunai): ((Foreign Language Spoken: 0:51:25.4-0:54:44.0)).

(Dale Jones): If we conduct an audit, we would like to be able to see exactly what happened with this fish from the time it was harvested until the time it was imported to the United States.

(Sunai): ((Foreign Language Spoken: 0:54:55.7)).

(Jun Sakai): ((Foreign Language Spoken: 0:55:25.3))?



- (Sunai): I have more questions, and can I continue to ask you a question?
- Kerry Turner: We do have some additional people on the line waiting to ask questions, but we can take one more from (Jun), and then go to the next individual waiting.
- (Sunai): ((Foreign Language Spoken: 0:55:53.6)).
- (Jun Sakai): ((Foreign Language Spoken: 0:56:02.4))?
- (Sunai): ((Foreign Language Spoken: 0:56:25.3))?
- (Jun Sakai): ((Foreign Language Spoken: 0:56:28.7)).
- (Sunai): Okay. Only one more question, then. So, continue question, continue to ask the same model of the catch certificate. About the certificate, I don't understand, maybe, the term of the word, certificate. So, I'd like to know more detail about the certificate.
- What you mean (to prove), once they get the certificate, such as who is maybe government side asking us to prove with such a format that which is basic (A-SHUN) format which would be the certificate.
- (Dale Jones): I think there might be some misunderstanding. The use of the word, "certificate," in this case, is very general. We are not referring to a specific license or document, necessarily. In some cases, there may be government documents, or other documents, that support the legal harvest of the product.
- In many cases the documentation required will not be a formal certificate. It will be simply paperwork that is retained in the supply chain of this particular harvest.
- (Sunai): Okay.
- ((Foreign Language Spoken: 0:58:04.3-0:59:56.7)).
- (Jun Sakai): ((Foreign Language Spoken: 0:59:56.3)).
- (Sunai): Okay. Thank you so much. I understand well.
- Kerry Turner: Operator, next question, please.
- Coordinator: Thank you. Our next question comes from (Taketo Ota). Your line is open.
- (Taketo Ota): ((Foreign Language Spoken: 1:00:11.6))?



(Sunai): My name is (Taketa Ota), and I'm a newspaper reporter and writer. And my question is talking of S-I-M-P. And when you are through establishing this system, maybe a lot of the Government Officers or Importers, those people - I assume some people import more (tasks) because of this S-I-M-P system. Maybe you may hear some complaints from someone.

If you hear some complaints, due to the future overloaded of the task, because of this S-I-M-P, and then if you hear from someone complain, who did complain? And what did you do to deal with it in such a way of minimize their task so they can be more productive? Anything that you tried to do, or I simply want to know some of, again, this system, how did you get through this program to go through?

(Chris Rogers): Hi. This is (Chris Rogers). I'll take that question.

In the U.S. rulemaking process, we do a proposal, we have a comments period, and then we issue a Final Rule after we consider the comments received.

So, the question from Mr. (Ota) about complaints, what we'll say - we've received many comments during the comment period on the rule. And I'll explain in a bit how we address some of those significant comments. If you could translate.

(Sunai): Okay.

((Foreign Language Spoken: 1:02:37.2)).

(Taketo Ota): ((Foreign Language Spoken: 1:03:33.3)).

(Sunai): Thank you.

(Chris Rogers): Okay, so three of the most significant comments we received, as Mr. (Ota) suggested, about the burden imposed by the Program.

One was about the many small-scale fisheries having contributions to an individual shipment to the United States. So, in response to that comment, we simplified the reporting requirement to allow for what we call an Aggregated Harvest Report that allows the consolidation of several small-scale vessels into one Harvest Report. That was the first response to comment.

(Sunai): ((Foreign Language Spoken: 1:04:15.7-1:05:35.3)).

(Chris Rogers): Okay, another concern or comment that we received was about the (implementation) timeframe. In the recommendations from the Task Force and the Action Plan to implement those recommendations, the Program was



intended to be issued in August of 2016, made effective in September, 2016, and then considered for expansion in December, 2016.

We received a lot of comments that that timeframe would be very difficult for actors in the supply chain - the Producers, the Exporters, and the U.S. Importers - to establish their information systems to comply with the requirements in such a short timeframe.

And so, in the Final Rule, we did delay implementation for one full year. (Heather) had said in the presentation it would become effective in January, 2018.

(Sunai): ((Foreign Language Spoken: 1:06:45.0-1:08:05.3)).

(Chris Rogers): And then, a third area where we received a number of comments was about the data elements - the catch documentation that would need to be reported.

So, we provided clarity on each of the data elements, and how the data elements would be reported, how gear codes would be used, or fishing area codes could be used.

And we provided more detail in the Model Catch Certificate with explanations of each of the data elements, so the actors in the supply chain - Producers, Exporters, U.S. Importers - would have greater clarity on that burden.

(Sunai): ((Foreign Language Spoken: 1:08:52.2-1:10:01.4)).

(Chris Rogers): And then, finally, I would mention our plans to implement a Commerce-Trusted Trader Program. This was envisioned by the Task Force as part of the Seafood Trade Stability Program, but we will implement that through a separate rulemaking process.

So, we are currently preparing a proposed rule to implement a Commerce-Trusted Trader Program. And that Program would be designed to reduce the reporting burden on the U.S. Importer, and facilitate the exit process. So, that would address the burden question that Mr. (Ota) had.

(Sunai): ((Foreign Language Spoken: 11:10:43.1)).

Coordinator: Thank you. Our next question comes from (Cory Norton). Sir, your line is open.

(Cory Norton): Thank you. I wanted to follow up, if you would, on some of the auditing and Chain-of-Custody issues and, primarily, if you could address, I guess, when you might expect the audits to begin but, also, how Importers would be



selected to be audited and, in any given year, the frequency or number of audits that you might anticipate?

(Sunai): ((Foreign Language Spoken: 1:12:08.5)).

(Chris Rogers): Hi. This is (Chris Rogers) again. And I'll take that question. Certainly, we can't disclose exactly how we'll perform our audits. Obviously, that would be a compliance program. Certainly, some will be conducted through random selection. But we will also develop screening and targeting criteria based on perceived risk.

We also might work with foreign governments that are exporting products from nations - exporting products to the United States - if there are any particular problems with illegal fishing within their jurisdiction.

So, again, some random; some screening and targeting. It certainly can and will begin as soon as the Program is effective on January 1st.

(Sunai): ((Foreign Language Spoken: 1:13:37.9-1:14:53.4)).

(Cory Norton): Thank you. Could I maybe just ask one other quick question? Not directly related, but as the Program was formed, I was curious if NOAA has - or the Fishery Service has - any type of industry advisory councils from which you solicit input, or that offer their input on early drafts of rules, or anything like that? Or is industry input primarily through responding to Federal (register) notices?

(Sunai): ((Foreign Language Spoken: 1:15:25.4))?

(Chris Rogers): Hi. This is (Chris Rogers) again. I'll take that question.

Under the U.S. Administrative Procedures Act, Citizens' business entities always have the right to petition for rulemaking, via the new rulemaking, or changes to existing rules. So that you could say the channel of communication is always open, in that regard. And of course, industry groups are free to express their ideas to us at any point in time.

But primarily, the formal exchange would occur when we do have either an Advanced Notice of Proposal-making and solicitation of comments or an actual proposed rule that has been issued. And the comment period is how we gather comments from the affected public - interested stakeholders - and respond to those comments.

So, it's a very transparent process. Most of the rules are posted on a Website called Regulations.gov, and you can see the comments received. When we do



a Final Rule, we do have a section, always, called the Response to Comments, and shows how we consider those comments.

(Sunai): ((Foreign Language Spoken: 1:17:15.8-1:18:46.9)).

Coordinator: Thank you. Our next question comes from (Hiromi Shirashi). Your line is now open.

(Hiromi Shirashi): Hello?

Kerry Turner: Hello.

(Hiromi Shirashi): Hello, okay. Thank you so much for your presentation. I have two questions. One is on - I'd like to know to what extent a process is covered by this regulation. So, what about on the products mixed with other fish? So, if any of 13 species use these ingredients, are these all covered by the regulation?

And the second question is that the Special Fish product products produced in the U.S. are not, I think, are subject to this regulation. So, is it not against (the bid) to you, and if you thought about this issue at some point, could you tell us how did you dealt with on this? Thank you.

((Crosstalk))

(Chris Rogers): This is - anybody else want to take it? Otherwise I'll take it - (Chris Rogers).

Kerry Turner: But, did you want to translate, (Sunai), that question?

(Sunai): Okay.

((Foreign Language Spoken: 1:20:04.2))

(Chris Rogers): Okay, (Chris Rogers), again. So, the first question - products mixed with other fish. Would they be subject to the program? At this juncture, at this point, with the initial phase of the program, we have identified - as we discussed - the Priority Species. But the Program will actually be working off a list of tariff codes; the Harmonized Tariff Schedule of the United States.

So, we have published a list of those tariff codes, and all the products that will be entered under those tariff codes will be subject to the Program. Primarily, they are discreet tariff codes that do correspond to the Priority Species we have identified.

So, at this point, not really an issue for mixed products or highly processed products, but as we expand the program, that may become an issue. But as (Celeste) noted earlier in our discussion, as the expanded Program will



(review) new rulemaking, having a comment period. So, we'll have to take a look at the cost effectiveness and the burden imposed, as we expand the program to more highly-processed products.

But the key at this point is to look at those tariff codes that are subject to the initial phase of the Program.

(Sunai): ((Foreign Language Spoken: 1:22:02.9-1:23:17.4)).

(Chris Rogers): Okay. The second question, then, was about the U.S.-produced seafood being exempt from this Program.

When the Task Force recommended a Seafood Traceability Program, it was with respect to all seafood entering U.S. commerce, including domestically-produced seafood.

So, our first step in examining how to implement that recommendation was to look in the Programs in effect, in force, in the United States, both at the Federal level and the State level.

And we concluded that between fishing authorizations, fishing log books, gear reports, way up slips - or what we call fish tickets - we already had in place all of the recordkeeping and reporting to certify that seafood entering U.S. commerce that was produced by U.S. vessels was in accordance with law and regulations.

Therefore, the Program was focusing on Imports seafood. So, again, we have a domestic program in place at the State and the Federal level that is equivalent to what we will be doing on the import monitoring.

(Sunai): ((Foreign Language Spoken: 1:24:46.2-1:26:16.4)).

(Chris Rogers): Just as a follow-up, as (Heather) indicated in her presentation, we are delaying implementation for shrimp and abalone products, and that was because of this very issue of parity between the U.S. Program and the Import Market Program. We did have some data gaps, with respect to aquaculture products of shrimp produced domestically - aquaculture products with shrimp and abalone.

And so, until we close those data reporting and recordkeeping gaps, domestically, we are delaying implementation for those species from the Import Market Program.

(Sunai): ((Foreign Language Spoken: 1:26:57.0))



Kerry Turner: Did you have any additional questions?

(Hiromi Shirashi): No, thank you. Thank you so much for your explanation.

Coordinator: Thank you. Our next question comes from (Yukito Nozawa). Your line is open.

(Yukito Nozawa): ((Foreign Language Spoken: 1:27:46.8)).

(Sunai): My name is (Yukito Nozawa).

((Foreign Language Spoken: 1:27:58.1))?

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:01.6)).

(Sunai): Fishery Agency of Japan. And this question is going to be my final question.

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:07.8)).

((Crosstalk))

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:11.6))

(Sunai): ((Foreign Language Spoken: 1:28:36.0)).

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:42.9)).

(Sunai): ((Foreign Language Spoken: 1:28:43.9)).

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:46.7)).

(Sunai): Okay.

((Foreign Language Spoken: 1:28:47.6)).

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:53.4)).

(Sunai): ((Foreign Language Spoken: 1:28:57.8)).

(Yukito Nozawa): ((Foreign Language Spoken: 1:28:57.8)).

(Sunai): ((Foreign Language Spoken: 1:29:00.0)).

Yes, Okay. So, I understand it seems like United States is they're trying to introduce three regulations, mainly, in right now.



So, the first was introduction was the sea turtle, and the second one is the currently talking about right now is (IMP), and the third one is in the next five years, and five years later, will do a marine mammal by-catch. Is that correct?

(Chris Rogers): Yes, this is (Chris Rogers). Yes, they are three separate regulatory programs. Obviously, tonight we wanted to talk about the Seafood Import Monitoring Program, but we do have some Import Monitoring Programs, with respect to those particular issues, like by-catch sea turtles and by-catch marine mammals.

But they are separate programs. Not intending to get into any detail on those tonight, but we can follow up with the gentlemen from Fisheries Agency in Japan, if necessary.

(Sunai): ((Foreign Language Spoken: 1:30:08.1)).

((Crosstalk))

(Yukito Nozawa): ((Foreign Language Spoken: 1:30:44.8)).

(Sunai): ((Foreign Language Spoken: 1:30:48.4)).

(Yukito Nozawa): ((Foreign Language Spoken: 1:30:51.9)).

(Sunai): So, my understanding is that three programs are all separate issues, (different) programs. So, which means we have to deal with three programs - regulatory programs - as individual programs.

(Chris Rogers): Yes. (Chris Rogers), again.

That is correct. But to the extent that, for U.S. Importers, they will be reporting the required information under each of the three programs through the single window system - what we call the International Trade Data System - that should simplify the program, to some extent, on the part of the U.S. Importer.

But the criteria for each program are different, with respect to the particular fisheries, and the interactions with the mammals, or whether the - under the Seafood Import Monitoring Program, the criterion is whether the fish were harvested in accordance with law and regulation in the local area of jurisdiction.

So, different focus for each of the three programs. Largely, the same information would be collected, with respect to how and where, who harvested the product being sent to the United States, and reported through the same system.



(Sunai): ((Foreign Language Spoken: 1:32:27.6-1:34:15.9)).

(Yukito Nozawa): ((Foreign Language Spoken: 1:34:15.6)).

(Sunai): Thank you so much. I understood very well.

And so, for minimize the task of the reporters, I would like to consider and request you guys to have a consistent data; the same data for the part for the three categories, and so, everybody can do very quickly.

So, I would like to think of the data entry minimization. So, then, the people who have to be involved with this task, so they can do - they don't get burdened so much.

(Chris Rogers): Okay. Thank you.

Kerry Turner: Thank you so much for that question.

Operator, can you tell us one more time how to get into the queue to ask any questions, in case anyone has any additional questions to ask, please?

Coordinator: Yes, thank you. Once again, please press Star, then 1, if you'd like to ask a question. Star, then 1, if you have any questions that you'd like to ask over the phone lines.

(Sunai): ((Foreign Language Spoken: 1:35:36.3)).

Kerry Turner: While we wait for additional questions, just a reminder. On our Website, www.iuufishing.NOAA.gov, we have a lot of resources and materials available to you about the Seafood Import Monitoring Program.

We also will post the recording and transcripts of this Webinar, and we posted previous Webinars that we've done on this Website, so I encourage you to visit that Website.

((Crosstalk))

Kerry Turner: Go ahead. Please translate.

(Sunai): ((Foreign Language Spoken: 1:36:33.0)).

Kerry Turner: Additionally, please also - we have on the screen, you'll see the email information for both (Celeste) and (Dale). Please feel free to send any additional questions or comments you may have to (Celeste). If you have any



questions about the role of ITVS, a portion of the Seafood Import Monitoring Program, please submit an email to (Dale Jones).

Again, both of their information is on screen right now.

(Sunai): ((Foreign Language Spoken: 1:37:36.0)).

Kerry Turner: It looks like we have one more question, Operator?

Coordinator: Yes, thank you. Our next question comes from (Azako Takantu). Your line is now open.

(Azako Takantu): ((Foreign Language Spoken: 1:38:39.9-1:39:45.5)).

(Sunai): Thank you so much. And I am participating in the middle of it, and it maybe I missed out some of them, but I was listening, and I have a question about - three questions.

And the first, so, farms will be the aquaculture farms - will be facilities are also included in this?

And the second question is talking about mixed-fish, highly-processed fish products. Those are not, so far, applicable to the SIMP? And then, so, because you don't have much detail at this moment, you prioritize the 13 species right now.

And the third question is mixed-fishery products. So, you talked about something about harmonized. So, I would like to know more about this harmonized regulatory details. Thank you.

(Heather Brandon): Sure. This is (Heather). I'll answer.

Products from aquaculture facilities are included in the SIMP program. Highly-processed products are not currently included in the SIMP Program. And the third question, I wasn't totally clear about what she meant by mixed-fishery products, but I can answer that we have a list of HTS codes - Harmonized Tariff System codes - on our Website.

Those are the codes that will fall under the SIMP program - under this first phase of the SIMP program, starting in January. So, she is interested in finding out which products will have to provide the additional data on harvest and landing; that list is provided on our Website.

(Sunai): ((Foreign Language Spoken: 1:42:04.8-1:43:10.1)).

(Azako Takantu): ((Foreign Language Spoken: 1:43:13.1)).



(Sunai): ((Foreign Language Spoken: 1:43:34.2)).

Thank you so much, and I have an additional question regarding to my second question about the highly-processed food. I would like to know about the definition of that highly-processed food.

Then my other question is, for example, including the Japanese fish - commercial fish - and then, such like fish flakes - the tuna fish flakes?

Kerry Turner: Her question is, is that a highly-processed product, or?

(Sunai): Highly processed product.

Kerry Turner: Is that, am I understanding the question all right?

(Sunai): Yes. And what is the definition of highly-processed product? What do you mean by “highly-processed product?” What do you need to do to make it that product? How you define that?

Kerry Turner: Okay. Well, I am looking through my literature for a definition of a highly-processed product. I am not coming upon it, immediately. But again, I guess I referred to the questioner to the HTS codes, because that has a list of all of the products, so if you are producing something that you think is highly processed, like a sauce, or a soup, or a pudding, or a fish ball, for example, those products are not under this SIMP program.

Did you want to add something, (Chris)? I heard you speak up.

(Sunai): Yes, yes, I can do that. Okay.

((Foreign Language Spoken: 1:45:35.1)).

(Chris Rogers): This is (Chris Rogers). Let me just add to that explanation a bit from (Heather). There’s no formal definition of highly-processed products. For those who aren’t familiar with the Harmonized Tariffs Schedule, Chapter 3 usually is individual fish products. It’s maybe processed minimally into steaks and filets.

Chapter 16 is more highly-processed products where you would get into canned or pouch products, fish flakes, paste, you know, fish cakes - those kinds of processed products.

So, on one level, you could say Chapter 3 is raw fish, frozen fish or minimally-processed fish. Chapter 16 is more highly-processed products. So, as (Heather) said, the Program, in its initial phase, we have identified those



tariff schedule codes - some in Chapter 3, some in Chapter 16 - that are part of the program, initially.

But as we expand, we'll have to do a new rulemaking process, and we'll consider the cost and benefits of including more highly processed products in the program.

(Sunai): ((Foreign Language Spoken: 1:47:29.6- 1:48:57.5)).

Kerry Turner: Thank you so much. It looks like we do not have any additional questions, at this time. But we do encourage you, if you have any - if you think of any additional questions that you do want to ask us, the contact information for both (Dale Jones) and (Celeste Leroux) is up on the screen. Feel free to send an email to either one of them with your questions.

(Sunai): ((Foreign Language Spoken: 1:49:29.5)).

Kerry Turner: Additionally, please visit our Website, www.iuufishing.NOAA.gov for information about the Seafood Import Monitoring Program. We have information in several languages. We will be posting this presentation and other materials in Japanese on this site as well, so please feel free to visit and look out for that.

(Sunai): ((Foreign Language Spoken: 1:50:28.8)).

Kerry Turner: (Celeste), (Dale), (Chris), (Heather), did you have any final comments that you would like to share?

(Chris Rogers): Not from me; thanks.

(Heather Brandon): None from me. Just, thank you for joining us on our Webinar.

(Dale Jones): Likewise. Thank you.

(Celeste Leroux): Thank you.

Man 1: ((Foreign Language Spoken: 1:51:13.3)).

Kerry Turner: Again, thank you all for joining us on this discussion about the Seafood Import Monitoring Program. This Webinar is part of a very broad outreach that NOAA Fisheries is doing, both domestically and internationally, in anticipation of the mandatory compliance stage January 1, 2018 for the Seafood Import Monitoring Program.



Again, please visit our Website or feel free to reach out to us with any questions. We are here to answer those questions, so feel free to reach out. Thank you, and have a wonderful day.

(Sunai): ((Foreign Language Spoken: 1:51:56.6)).

Coordinator: Thank you. This concludes today's conference. You may all disconnect at this time.

END