U.S. Seafood Import Monitoring Program

Speaker:

NOAA FISHERIES,

Office of International Affairs and Seafood

Driving Factors for U.S. Action

Illegal, Unreported and Unregulated (IUU) fishing and seafood fraud –
- threatens valuable natural resources that are critical to global food security
- puts law-abiding fishers and seafood producers, here in the U.S. and abroad, at a disadvantage.

$96 billion U.S. seafood market

- The Seafood Import Monitoring Program will help to ensure that products of IUU fishing or seafood fraud stay out of the $96 billion U.S. seafood market.
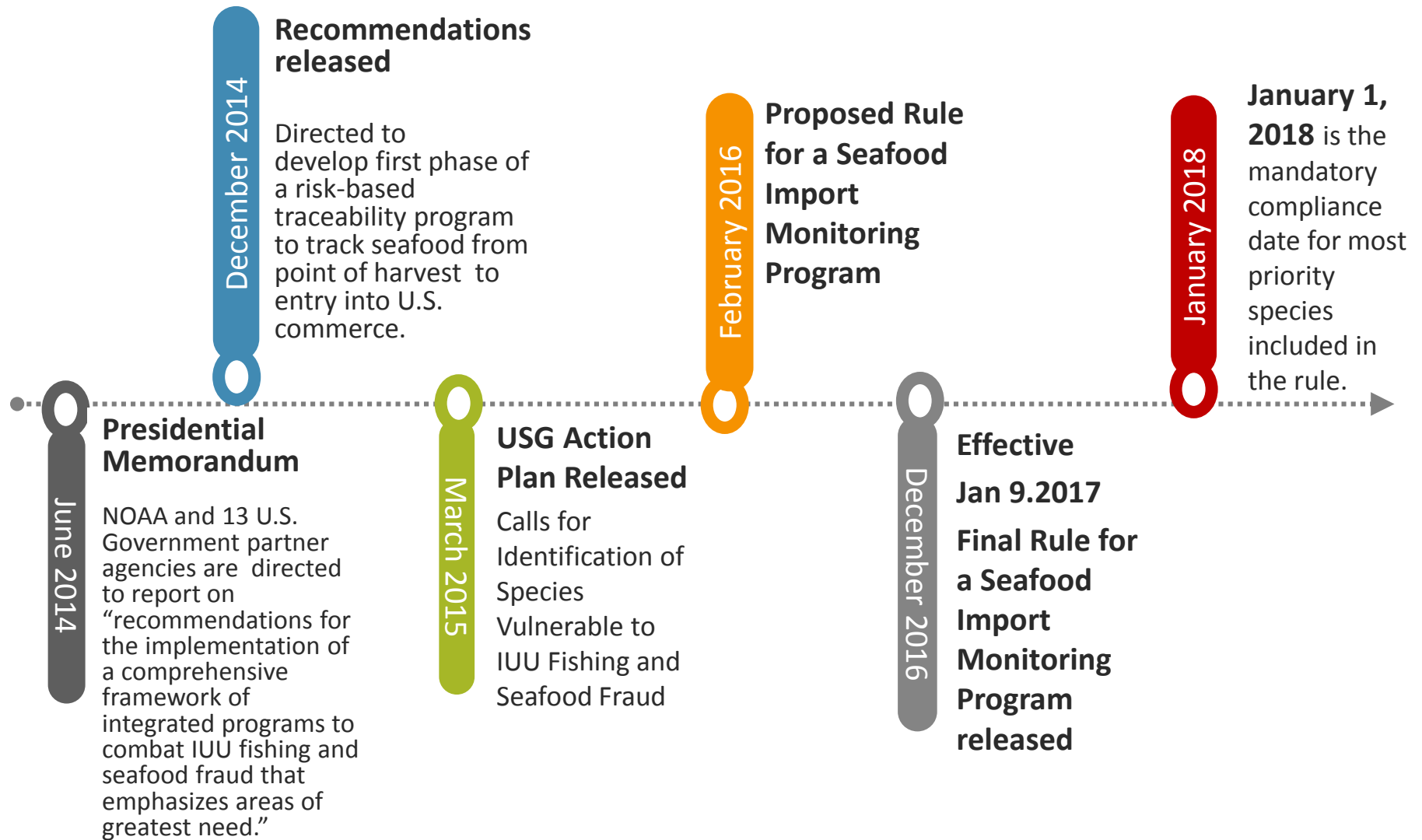
What is the Seafood Import Monitoring Program?

The Seafood Import Monitoring Program establishes permitting, data reporting and recordkeeping requirements for the importation of certain priority fish and fish products that have been identified as being particularly vulnerable to IUU fishing and/or seafood fraud.

US Government Task Force to Combat IUU Fishing and Seafood Fraud

June 2014

Presidential Memorandum

NOAA and 13 U.S. Government partner agencies are directed to report on "recommendations for the implementation of a comprehensive framework of integrated programs to combat IUU fishing and seafood fraud that emphasizes areas of greatest need."

December 2014

Recommendations released

Directed to develop first phase of a risk-based traceability program to track seafood from point of harvest to entry into U.S. commerce.

March 2015

USG Action Plan Released

Calls for Identification of Species Vulnerable to IUU Fishing and Seafood Fraud

February 2016

Proposed Rule for a Seafood Import Monitoring Program

December 2016

Effective Jan 9.2017

Final Rule for a Seafood Import Monitoring Program released

January 2018

January 1, 2018 is the mandatory compliance date for most priority species included in the rule.

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Which seafood species/products will be affected?

SINGLE SPECIES

*Abalone

Atlantic cod

Blue crab (Atlantic)

Dolphinfish (Mahi Mahi)

King crab (red)

Pacific cod

Red snapper

SPECIES GROUPS

Grouper

Sea cucumber

Sharks

*Shrimp

Swordfish

Tunas   *Albacore, Bigeye, Skipjack, Bluefin, Yellowfin*

Appendix with all species and ASFIS codes available in Implementation Guide

Denotes delayed implementation

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What information will be required?

1. **Permitting**
2. **Data Reporting** and
3. **Recordkeeping**

The U.S. Importer of Record

- Obtain an **International Fisheries Trade Permit:**

  - Entity/Individual must have U.S. residency

  - Apply at National Permit System Website:

    https://fisheriespermits.noaa.gov/npspub/pub_cmn_login/index_live.jsp

  - Available online now, permit effective for one year, $30 fee, annually renewable

- Keep records documenting **harvest** and **chain of custody** of product, such as:

  - Transshipment (bills of lading, declaration of vessels)

  - Processing, re-processing, and commingling of product

- You will be the **primary contact for audits**

- Non-compliance may result in enforcement action

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Fish: What, When and Where

- Species of fish – Aquatic Sciences Fishery Information System (ASFIS) number

- Product form(s) at time of landing including quantity and weight

- Landing date(s)

- Point(s) of first landing

- Area(s) of wild-capture or aquaculture harvest

- Name of entity(s) to which the fish was first landed or delivered

Harvesting or Producing Entity

- Name and flag state of harvesting vessel(s)

- Evidence of authorization to fish (permit or license number)

- Unique vessel identifier (when available)

- Type(s) of fishing gear used

- Name(s) of farm or aquaculture facility

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Small Scale Fisheries

- Fishing Vessels ≤ 12 meters in length or ≤ 20 gross tons
- Aquaculture deliveries ≤ 1,000 kg

- Multiple small-scale deliveries to 1 collection point in 1 day can be consolidated in an **Aggregated Harvest Report**
  - Not required: Individual vessel/farm
  - Required: Number of deliveries, all other data elements

5 Key Points to know about the Seafood Import Monitoring Program

Seafood Import Monitoring Program Key Points

1. SIMP applies only to seafood entering the U.S. from a foreign country (including re-imported seafood harvested in the U.S.)

2. The importer of record must hold U.S. residence and have a current International Fisheries Trade Permit.

3. Two types of traceability information are required :

   A) Harvest and Landing Information: must be reported electronically at the time of import through International Trade Data System (ITDS).

   B) Chain of Custody Records: Documents that trace the product from harvest to point of entry into U.S must be retained by the U.S. importer of record for 2 years and can be requested in an audit.

4. The information collected under this program is confidential.

5. January 1, 2018 is the mandatory compliance date for most priority species listed in the rule.

How you can prepare for the January 1, 2018 mandatory compliance date

Prior to January 1, 2018:

❖ Harvesters, Processors, Shippers etc.:
  ❖ **Collect data required** for SIMP compliance
  ❖ **Transfer information** to your Importer of Record

❖ U.S. resident Importers of Record:
  ❖ Obtain an **International Fisheries Trade Permit**
  ❖ Conduct a **sample audit** of records (optional)

❖ Entry filers:
  ❖ **Develop software** to support entry filing in ITDS
  ❖ Participate in **pilot testing**

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Commerce Trusted Trader Program

To offer optional benefits and incentives for holders of an International Fisheries Trade Permit (IFTP) certified as Commerce Trusted Traders to obtain a more streamlined entry of seafood products into U.S. commerce.

❖ Proposed Rule expected to be released for public comment in 2017.

❖ Potential benefits may include:
   ❖ Expedited flow of trade.
   ❖ Reduced burden of meeting Seafood Import Monitoring Program record keeping requirements.

Pilot Software Testing

- The NMFS Implementation Guide defining the technical requirements for filing is posted on the NMFS and CBP web sites.

- NOAA Fisheries and Customs CBP) are currently finalizing CBP ACE system programming for the CBP system to "accept" SIMP required data.

- Filers will be asked to participate in testing this fall

  - <u>Certification Level Testing</u> – Simulated testing conducted using "fictitious" trade date in a controlled CBP system.

  - <u>Production Level Testing</u> – Real time assessment of initial and actual transactions for imported shipments monitored as the filing is transmitted. Conducted in coordination with the importer, broker/filer, software developer, CBP representatives and an NMFS representative.

Process

*A CBP Client Representative will set up your account profile in the ACE CERT environment, as necessary. Once the account is activated for entry filing a filer will be notified and able to submit data for all pilot PGAs.

Confirm your software is set up to test in the CBP ACE Certification (CERT) environment.

- If you are a filer, check with your software vendor to see if you have this capability.
- If you are a self-filer or software vendor that already tests in ACE CERT, you are set up to file PGA data in CERT.

*Contact the Customs Client Representatives Office to setup a new CERT account, or confirm your existing CERT account is set up to allow for PGA testing.

In your e-mail please include the following information:

- Filer code
- Filer name
- Port code(s) you intend to test with
- Vendor Name (or self-programmer)
- Company point of contact: name, email, and phone number

Work with CBP to create the flat-file that contains Entry data and PGA data for submission.

- Submissions must conform to the CATAIR message specification for the Entry, and the PGA Message Set message specification, as well as any Supplemental Guidance documents

Vendor/filer would then submit the file to the Certification environment.

Take Home Reminders

1. **January 1, 2018** is the mandatory compliance date for most priority species listed in the rule. (Shrimp and abalone compliance will be phased in at a later date.)

2. **US importer of record will enter data** to Customs and keep chain-of-custody documents on file.

3. **Pilot Testing**

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Resources

IUU and Seafood Fraud Taskforce web portal - www.iuufishing.noaa.gov

- Public meetings, Model forms, Q&A 'Compliance Guide', Translated Materials
- Sign up for SIMP updates!

Contacts

- Questions related to requirements of the SIMP, contact:

    Celeste Leroux, Celeste.Leroux@noaa.gov

    NOAA Fisheries' Office of International Affairs and Seafood Inspection

- Questions related to entry filing in ITDS and pilot testing, contact:

    Dale Jones, Dale.Jones@noaa.gov

    NOAA Fisheries' Office of Science and Technology