

by an official of an institution accredited by said government, with official government or accredited institution seal affixed, thus validating the information on the Bluefin Tuna Statistical Document; and

(9) As applicable, state the name(s) and address(es), including the name of the city and state or province of import, and the name(s) of the intermediate country(ies) or the name of the country of final destination, and license number(s) of, and be signed and dated in the importer's certification block by, each intermediate and the final importer.

(b) An approved Bluefin Tuna Statistical Document may be obtained from the Regional Director to accompany exports of bluefin tuna from the United States. Bluefin tuna dealers in countries that do not provide an approved Bluefin Tuna Statistical Document to exporters may obtain an approved Bluefin Tuna Statistical Document from the Regional Director to accompany exports to the United States.

(c) Dealers from a country exporting bluefin tuna to the United States may use the approved Bluefin Tuna Statistical Document obtainable from the Regional Director or documents developed by the dealer's country, if that country submits a copy, through the ICCAT Executive Secretariat, to the Assistant Administrator, and the Assistant Administrator concurs with the ICCAT Secretariat's determination that the document meets the information requirements of the ICCAT recommendation. In such case, the Assistant Administrator shall provide a list of countries for which Bluefin Tuna Statistical Documents are approved, together with examples of such documents to the appropriate official of the U.S. Customs Service. Effective upon the date indicated in such notice to the U.S. Customs Service, shipments of bluefin tuna or bluefin tuna products offered for importation from said country(ies) may be accompanied by either that country's approved Bluefin Tuna Statistical Document or by the Bluefin Tuna Statistical Document provided to the foreign country exporter by the Regional Director.

§ 285.203 Validation requirements.

(a) *Imports.* The approved Bluefin Tuna Statistical Document accompanying any import of bluefin tuna, whether or not the issuing country is a member of ICCAT, must be validated by a government official from the issuing country, unless the Assistant Administrator waives the government validation requirement for that country following a recommendation to do so by the Executive Secretary of ICCAT. The Assistant Administrator shall furnish a list of countries for which government validation requirements are waived to the appropriate official of the U.S. Customs Service. Said list shall indicate the circumstances of exemption for each issuing country and the non-government institutions, if any, accredited to validate Bluefin Statistical Documents for that country.

(b) *Exports.* The approved Bluefin Tuna Statistical Document accompanying any export of bluefin tuna from the United States must be validated by a U.S. government official, except under circumstances of waiver, if any, specified on the form and accompanying instructions, or in a letter to permitted dealers from the Regional Director. Such circumstances of waiver of government validation shall be consistent with ICCAT recommendations concerning validation of Bluefin Tuna Statistical Documents. If authorized, such waiver of government validation may include:

(1) Exemptions from government validation for fish with individual tags affixed pursuant to § 280.52 or § 285.30 of this chapter, or;

(2) Validation by non-government officials authorized to do so by the Regional Director under paragraph (c) of this section.

(c) *Authorization for non-government validation.* Institutions, or associations seeking authorization to validate Bluefin Tuna Statistical Documents accompanying exports from the United States, must apply in writing to the Regional Director. A letter of application must indicate the procedures to be used for verification of information to be validated, must list the names, addresses, and telephone/fax numbers of individuals to perform validation, and must provide an example of the stamp

or seal to be applied to the Bluefin Tuna Statistical Document. Upon finding the institution or association capable of verifying the information required on the Bluefin Tuna Statistical Document, the Regional Director will issue, within 30 days, a letter specifying the duration of effectiveness and conditions of authority to validate Bluefin Tuna Statistical Documents accompanying exports from the United States. The effectiveness of such authorization will be delayed as necessary for the Assistant Administrator to notify the ICCAT Secretariat of non-government institutions and associations authorized to validate Bluefin Tuna Statistical Documents.

§285.204 Ports of entry.

The Assistant Administrator shall monitor the importation of bluefin tuna into the United States. If the Assistant Administrator determines that the diversity of handling practices at certain ports at which bluefin tuna is being imported into the United States allow for circumvention of the Bluefin Tuna Statistical Document requirement, he/she may designate, after consultation with the U.S. Customs Service, those ports at which Pacific or Atlantic bluefin tuna may be imported into the United States. The Assistant Administrator shall announce in the FEDERAL REGISTER the names of ports so designated and the effective dates of entry restrictions.

§285.205 Prohibitions.

It is unlawful for any person to do any of the following:

(a) Import or attempt to import any bluefin tuna into the United States without an accompanying original form of an approved Bluefin Tuna Statistical Document correctly completed with the appropriate certification and government validation.

(b) Import any bluefin tuna into the United States from a country that requires all such tuna to be tagged, without said tag accompanying the bluefin tuna.

(c) Remove a tag from any bluefin tuna imported into the United States accompanied by a tag, prior to its

being cut into portions for a destination in the United States or for export.

(d) Fail to write legibly and indelibly the tag number and the issuing country on the outside of any package containing a part or parts of a bluefin tuna that was imported into the United States accompanied by said tag.

(e) Export or re-export from the United States any bluefin tuna without an accompanying original approved Bluefin Tuna Statistical Document correctly completed with the appropriate certification and, if applicable, validated by a designated official of the United States government or an official of an institution authorized by the Regional Director pursuant to §285.203(c) to validate such documents.

(f) Fail to provide in a timely manner any originals or copies of Bluefin Tuna Statistical Documents required to be submitted to the Regional Director pursuant to §285.201.

(g) Write false information on or modify any information previously written on any Bluefin Tuna Statistical Document required by this subpart or to validate such document if not authorized to do so by the Regional Director.

(h) Fail to maintain copies of completed Bluefin Tuna Statistical Documents as required under §285.201.

(i) Import any bluefin tuna in a manner inconsistent with any ports of entry designated by the Assistant Administrator pursuant to §285.204.

(j) Reuse, or transfer to another dealer, any numbered Bluefin Tuna Statistical Document issued to a dealer under this subpart.

(k) Import any Atlantic bluefin tuna or Atlantic bluefin tuna products into the United States from Belize or Honduras after August 20, 1997 unless a validated Bluefin Statistical Document required under this subpart F, §§285.200 through 285.205, shows that a particular shipment of such bluefin tuna was exported prior to August 20, 1997.

(l) Import any Atlantic bluefin tuna or Atlantic bluefin tuna products into the United States from Panama after January 1, 1998, unless a validated Bluefin Statistical Document required under this subpart F, §§285.200 through