

the drift gillnet fishery, aboard a vessel using or having aboard a drift gillnet—

(i) A person may not fish for swordfish from the North Atlantic swordfish stock; and

(ii) No more than two swordfish per trip may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5°N. latitude, or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state.

(2) During a closure of the longline fishery, aboard a vessel using or having aboard a longline and not having aboard harpoon gear—

(i) A person may not fish for swordfish from the North Atlantic swordfish stock; and

(ii) No more than 15 swordfish per trip may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5° N. lat., or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state. The Assistant Administrator may modify or change the bycatch limits upon publication of notice in the FEDERAL REGISTER pursuant to the requirements and procedures in paragraphs (a)(1) and (a)(2) of this section. Changes in the bycatch limits will be based upon the length of the directed fishery closure as well as the estimated catch per vessel in the non-directed fishery.

(3) During a closure of the harpoon fishery, aboard a vessel using or having aboard harpoon gear—

(i) A person may not fish for swordfish from the North Atlantic swordfish stock; and

(ii) No swordfish may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5°N. latitude, or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state.

(d) *Bycatch limits in the non-directed fishery.* Aboard a vessel using or having aboard gear other than drift gillnet, harpoon, or longline, other than a vessel in the recreational fishery—

(1) A person may not fish for swordfish from the North Atlantic swordfish stock;

(2) Except as specified in paragraph (d)(3) of this section, no more than two swordfish per trip may be possessed in the North Atlantic Ocean, including

the Gulf of Mexico and Caribbean Sea, north of 5°N. latitude, or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state; and

(3) Aboard a vessel in the squid trawl fishery, no more than five swordfish per trip may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5°N. latitude, or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state. For the purposes of this paragraph (d)(3), a vessel is considered to be in the squid trawl fishery when it has no commercial fishing gear other than trawl gear aboard and squid constitute not less than 75 percent by weight of the total fish aboard or off-loaded from the vessel.

(e) *Limits during a bycatch closure.* During a closure of the bycatch fishery under paragraph (a)(2) of this section, the provisions of paragraphs (c) and (d) of this section notwithstanding, aboard a fishing vessel, other than a vessel in the recreational fishery—

(1) A person may not fish for swordfish from the North Atlantic swordfish stock; and

(2) No swordfish may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5°N. latitude, or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state.

[56 FR 65019, Dec. 13, 1991, as amended at 57 FR 34266, Aug. 4, 1992; 60 FR 46778, Sept. 8, 1995; 61 FR 27308, May 31, 1996; 61 FR 34746, July 3, 1996; 62 FR 55362, Oct. 24, 1997]

§ 630.26 Specifically authorized activities.

NMFS may authorize for the acquisition of information and data, activities that are otherwise prohibited by these regulations.

Subpart C—Restrictions on Swordfish Imports

§ 630.40 Applicability.

The policies and procedures contained in 50 CFR 285.80 through 285.86, which implement the provisions of section 6(c) of the Atlantic Tunas Convention Act, 16 U.S.C. 971 *et seq.*, with respect to import controls and which specify procedures for the establishment of restrictions on imports of