

§ 678.25

for adjustment of management measures, as specified in § 678.26.

[58 FR 21944, Apr. 26, 1993. Redesignated at 59 FR 52457, Oct. 18, 1994; 60 FR 21469, May 2, 1995; 62 FR 16656, Apr. 7, 1997]

§ 678.25 Closures.

(a) When a commercial quota specified in § 678.24(b) is reached, or is projected to be reached, the Assistant Administrator will publish a notice to that effect in the FEDERAL REGISTER. The effective date of such notice will be at least 5 days after the date such notice is filed with the Office of the Federal Register.

(1) On the effective date of such notice, for the remainder of the semi-annual period.

(i) A person aboard a vessel that has been issued a permit under § 678.4 may not retain shark of the species group for which the commercial quota has been reached, except as provided in paragraph (a)(2) of this section; and

(ii) The sale, purchase, trade, or barter or attempted sale, purchase, trade, or barter of a shark carcass or fin of that species group harvested by a person aboard a vessel that has been issued a permit under § 678.4 is prohibited.

(2) A person aboard a charter vessel or headboat that has been issued a permit under § 678.4 may retain, subject to the bag limits specified in § 678.23(b), shark of the species group for which the commercial quota has been reached, provided the vessel is operating as a charter vessel or headboat. However, the prohibition of paragraph (a)(1)(ii) and of this section regarding sale, purchase, trade, or barter, or attempted sale, purchase, trade, or barter, apply to such shark.

(b) The prohibition of paragraph (a)(1)(ii) of this section regarding sale, purchase, trade, or barter, or attempted sale, purchase, trade, or barter, by a dealer does not apply to trade in shark carcasses or fins that were harvested, off-loaded, and sold, traded, or bartered, prior to the effective date of the notice in the FEDERAL REGISTER, and were held in storage by a dealer or processor.

[58 FR 21944, Apr. 26, 1993. Redesignated and amended at 59 FR 52457, Oct. 18, 1994]

50 CFR Ch. VI (10–1–98 Edition)

§ 678.26 Restrictions on sale upon landing.

Subject to the restrictions of § 678.25,

(a) Upon landing, meat or fins from a shark from the management unit may be sold, traded, or bartered, or attempted to be sold, traded, or bartered, only by an owner or operator of a vessel that has been issued a permit pursuant to § 678.4, except that this does not apply to a shark harvested from a vessel that has not been issued a permit under this part and that fished exclusively within the waters under the jurisdiction of any state.

(b) Upon landing, meat or fins from a shark from the management unit may be purchased, traded, or bartered, or attempted to be purchased, traded, or bartered, only from the owner or operator of a vessel that has been issued a permit pursuant to § 678.4, except that this does not apply to a shark harvested from a vessel that has not been issued a permit under this part and that fished exclusively within the waters under the jurisdiction of any state.

(c) Fins from a shark harvested in the EEZ, or by a vessel that has been issued a permit under § 678.4, that are disproportionate to the weight of carcasses landed (see § 678.22(a)(2)) may not be sold, purchased, traded, or bartered or attempted to be sold, purchased, traded, or bartered.

(d) A shark from the management unit may be sold, traded, or bartered, or attempted to be sold, traded, or bartered, only to a dealer having a permit under § 678.4, except that this does not apply to a shark harvested from a vessel that has not been issued a permit under this part and that fished exclusively within the waters under the jurisdiction of any state.

[58 FR 21944, Apr. 26, 1993. Redesignated and amended at 59 FR 52457, Oct. 18, 1994]

§ 678.27 Adjustment of management measures.

In accordance with the framework regulatory adjustment procedures specified in the FMP, the Assistant Administrator may establish or modify for species or species groups in the shark fishery the following: maximum sustainable yield, total allowable catch, quotas, trip limits, bag limits, size limits, the fishing year or fishing season,