

Int'l. Fishing and Related Activities

§ 300.101

Violation of such inseason orders is violation of this subpart.

(b) *Notice of inseason orders.* (1) Official notice of such inseason orders is available from NMFS (for orders applicable to all-citizen fisheries) and from the Northwest Indian Fisheries Commission (for orders applicable to treaty Indian fisheries) through the following Area Code 206 toll-free telephone hot-lines: All-citizen fisheries: 1-800-562-6513; Treaty Indian fisheries: 1-800-562-6142.

(2) Notice of inseason orders of the Secretary and other applicable tribal regulations may be published and released according to tribal procedures in accordance with Final Decision No. 1 and subsequent orders in *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash., 1974).

(3) Inseason orders may also be communicated through news releases to radio and television stations and newspapers in the Fraser River Panel Area (U.S.).

(4) Inseason orders of the Secretary will also be published in the FEDERAL REGISTER as soon as practicable after they are issued.

Subpart G—Antarctic Marine Living Resources

AUTHORITY: 16 U.S.C. 2431 *et seq.*

§ 300.100 Purpose and scope.

(a) This subpart implements the Antarctic Marine Living Resources Convention Act of 1984 (Act).

(b) This subpart regulates—

(1) The harvesting of Antarctic marine living resources or other associated activities by any person subject to the jurisdiction of the United States or by any vessel of the United States.

(2) The importation into the United States of any Antarctic marine living resource.

§ 300.101 Definitions.

In addition to the terms defined in §300.2, in the Act, and in the Convention on the Conservation of Antarctic Marine Living Resources, done at Canberra, Australia, May 7, 1980 (Convention). Convention, the terms used in this subpart have the following mean-

ings. If a term is defined differently in §300.2, such Act, or such Convention, the definition in this section shall apply.

ACA means the Antarctic Conservation Act of 1978 (16 U.S.C. 2401 *et seq.*).

Antarctic convergence means a line joining the following points along the parallels of latitude and meridians of longitude:

<i>Lat.</i>	<i>Long.</i>
50° S.	0.
50° S.	30° E.
45° S.	30° E.
45° S.	80° E.
55° S.	80° E.
55° S.	150° E.
60° S.	150° E.
60° S.	50° W.
50° S.	50° W.
50° S.	0.

Antarctic finfishes include the following:

Scientific name	Common name
<i>Gobionotothen gibberifrons</i> ...	Humped rockcod.
<i>Notothenia rossii</i>	Marbled rockcod.
<i>Lepidorhirus squamifrons</i>	Grey rockcod.
<i>Lepidonotothen kempi</i>	Striped-eyed rockcod.
<i>Dissostichus eleginoides</i>	Patagonian toothfish.
<i>Dissostichus mawsoni</i>	Antarctic toothfish.
<i>Electrona carlsbergi</i>	Lanternfish.
<i>Patagonotothen breviceauda guntheri</i> .	Patagonian rockcod.
<i>Pleuragramma antarcticum</i> ...	Antarctic silverfish.
<i>Trematomus</i> spp.	Antarctic cods.
<i>Chaenocephalus aceratus</i>	Blackfin icefish.
<i>Chaenodraco wilsoni</i>	Spiny icefish.
<i>Champscephalus gunnari</i>	Mackerel icefish.
<i>Chionodraco rastrospinosus</i> ..	Ocellated icefish.
<i>Pseudochaenichthys georgianus</i> .	South Georgia icefish.

Antarctic marine living resources or AMLR(s) means:

(1) The populations of finfish, mollusks, crustaceans, and all other species of living organisms, including birds, found south of the Antarctic Convergence;

(2) All species of *Dissostichus*, wherever found; and

(3) All parts or products of those populations and species set forth in paragraphs (1) and (2) of this definition.

Commission means the Commission for the Conservation of Antarctic Marine Living Resources established under Article VII of the Convention.

Convention waters means all waters south of the Antarctic Convergence.

Dealer means the person who first receives AMLRs from a harvesting vessel or transshipment vessel or who imports

§ 300.102

50 CFR Ch. III (10–1–06 Edition)

AMLRs into, or re-exports AMLRs from, the United States.

Directed fishing, with respect to any species or stock of fish, means any fishing that results in such fish comprising more than 1 percent by weight, at any time, of the catch on board the vessel.

Dissostichus catch document (DCD) means the uniquely numbered catch documentation form approved by the Commission and issued by a flag state to its vessels authorized to harvest *Dissostichus* species.

Dissostichus species means Patagonian toothfish and/or Antarctic toothfish and their parts or products.

Fish means finfish, mollusks, and crustaceans.

Fishery means:

(1) One or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics.

(2) Any fishing for such stocks.

Harvesting vessel means any vessel of the United States (this includes any boat, ship, or other craft), that is used for, equipped to be used for, or of a type that is normally used for harvesting.

Individual permit means an NSF permit issued under 45 CFR part 670; or an NSF award letter (demonstrating that the individual has received an award from NSF to do research in the Antarctic); or a marine mammal permit issued under §216.31 of this chapter; or an endangered species permit issued under §222.21 of this chapter.

Inspection vessel means a vessel carrying a CCAMLR inspector and displaying the pennant approved by the Commission to identify such vessel.

Land or *landing* means to begin offloading any fish, to arrive in port with the intention of offloading any fish, or to cause any fish to be offloaded.

NSF means National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Recreational fishing means fishing with hook and line for personal use and not for sale.

Scientific research activity means any activity for which a person has a permit from NMFS under §216.31 of this

title or an award letter from NSF or a permit from the NSF under 45 CFR part 670. Scientific research activities may also include harvesting or other associated activities if such activities are designated as scientific research activities by the Assistant Administrator.

Specially Validated Dissostichus Catch Document (SVD CD) means a *Dissostichus* catch document that has been specially issued by a State to accompany seized or confiscated catch of *Dissostichus* spp. offered for sale or otherwise disposed of by the State.

Transship means the transfer of fish or fish products from one vessel to another.

Vessel Monitoring System (VMS) means a system that allows a Flag State, through the installation of satellite-tracking devices on board its fishing vessels to receive automatic transmission of certain information.

[61 FR 35550, July 5, 1996, as amended at 65 FR 30015, May 10, 2000; 68 FR 23227, May 1, 2003]

§ 300.102 Relationship to other treaties, conventions, laws, and regulations.

(a) Other conventions and treaties to which the United States is a party and other Federal statutes and implementing regulations may impose additional restrictions on the harvesting and importation into the United States of AMLRs.

(b) The ACA implements the Antarctic Treaty Agreed Measures for the Conservation of Antarctic Fauna and Flora (12 U.S.T. 794). The ACA and its implementing regulations (45 CFR part 670) apply to certain defined activities of U.S. citizens south of 60° S. lat.

(c) The Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 *et seq.*), the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), the Migratory Bird Treaty Act (16 U.S.C. 701 *et seq.*), and their implementing regulations also apply to the harvesting and importation of AMLRs.

§ 300.103 Procedure for according protection to CCAMLR Ecosystem Monitoring Program Sites.

(a) *General.* (1) Any person subject to the jurisdiction of the United States