

Int'l. Fishing and Related Activities

§ 300.115

determined in accordance with procedures specified in the NOAA Finance Handbook for calculating administrative costs of special products and services. The fee is specified with the preapproval application form. The appropriate fee must accompany each application and be paid by check, draft, or money order.

(d) *Issuance.* NMFS may issue a dealer permit or preapproval if it determines that the activity proposed by the dealer meets the requirements of the Act and that the resources were not or will not be harvested in violation of any conservation measure in force with respect to the United States or in violation of any regulation in this subpart.

(e) *Duration.* A permit issued under this section is valid from its date of issuance to its date of expiration unless it is revoked or suspended. A preapproval is valid until the product is imported (and re-exported, if applicable).

(f) *Transfer.* A permit issued under this section is not transferable or assignable.

(g) *Changes in information*—(1) Pending applications. Applicants for permits and preapproval under this section must report in writing to NMFS any change in the information submitted in their permit and preapproval applications. The processing period for the application may be extended as necessary to review and consider the change.

(2) Issued permits and preapprovals. Any entity issued a permit or preapproval under this section must report in writing to NMFS any changes in previously submitted information. Any changes that would result in a change in the receipt or importation authorized by the preapproval, such as harvesting vessel or country of origin, type and quantity of the resource to be received or imported, and Convention statistical subarea from which the resource was harvested, must be proposed in writing to NMFS and may not be undertaken unless authorized by NMFS through issuance of a revised or new preapproval.

(h) *Revision, suspension, or revocation.* A permit or preapproval issued under this section may be revised, suspended,

or revoked, based upon a violation of the permit, the Act, or this subpart. Failure to report a change in the information contained in a permit or preapproval application voids the application, permit, or preapproval as applicable. Title 15 CFR part 904 governs permit sanctions under this subpart.

(i) *Exception.* For shipments of *Dissostichus* species which are fresh and less than 2,000 kilograms in quantity, the application for approval of catch documents of toothfish must be submitted to NMFS within 24 hours of import.

(j) *SVDCD.* Dealer permits will not be issued for *Dissostichus* spp. offered for sale or other disposition under a Specially Validated DCD.

(k) *Registered agent.* Foreign entities shall, as a condition of possessing a dealer permit, designate and maintain a registered agent within the United States that is authorized to accept service of process on behalf of that entity. Foreign based importers of record may identify to NMFS the registered agent identified for Customs Service purposes.

[68 FR 23228, May 1, 2003]

§ 300.114 Appointment of a designated representative.

(a) All holders of permits authorizing fishing in subarea 48.3 must appoint a designated representative in the United States.

(b) The designated representative will be notified of closures under § 300.111 and must transmit this information to the vessel on the grounds.

(c) The designated representative may receive catch reports from the vessel and transmit the reports to NMFS in writing.

§ 300.115 Prohibitions.

In addition to the prohibitions in § 300.4, it is unlawful for any person to:

(a) Reduce to possession or attempt to reduce to possession any AMLRs without a permit for such activity as required by § 300.112.

(b) Import into or export from the United States any AMLRs taken by vessels without a permit to harvest those resources as required by § 300.112 (a)(1), or without applicable catch documentation as required by § 300.107