

The public reporting burden for completing an ICCAT Bluefin Tuna Statistical Document is estimated at 0.33 hours (20 minutes). The public reporting burden for completing a vessel log by vessel owners is estimated at 0.10 hours (6 minutes) per day and 0.10 hours (6 minutes) per notification of fish transfer. The public reporting burden for registering with the NMFS Cooperative Tagging Center is estimated at 0.03 hours (2 minutes).

These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding these burden estimates or any other aspects of these collections of information, including suggestions for reducing the burden, to NMFS and OMB (see ADDRESSES).

List of Subjects in 50 CFR Part 285

Fisheries, Fishing, Penalties, Reporting and recordkeeping requirements, Treaties.

Dated: July 21, 1995.

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Assistant Administrator for Fisheries,
National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 285 is amended as follows:

PART 285—ATLANTIC TUNA FISHERIES

1. The authority citation for part 285 continues to read as follows:

Authority: 16 U.S.C. 971 *et seq.*

2. In § 285.1, paragraph (c) is revised to read as follows:

§ 285.1 Purpose and scope.

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(c) This part does not apply to any person or vessel authorized by the Commission, or in writing by the Director, or any state upon written authorization by the Director, to engage in fishing for research purposes.

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3. In § 285.2, the definitions of "Center Director" and "Party boat" are removed, definitions of "Bandit gear", "Commercial fishing", "Downrigger", "Fixed gear", "Headboat", "Length overall", "Operator", "Recreational fishing", "Rod and reel", and "Trap" are added in alphabetical order, and the definitions of "Charter boat", "Curved fork length" and "Regional Director", "Straight fork length" are revised to read as follows:

§ 285.2 Definitions.

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Bandit gear means vertical hook-and-line gear with rods attached to a vessel, with no more than two hooks per line and with line retrieved by manual, electric, or hydraulic reels.

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Charter boat means a vessel less than 100 gross tons (90.8 metric tons) that meets the requirements of the Coast Guard to carry six or fewer passengers for hire and that carries a passenger for hire at any time during the calendar year.

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Commercial fishing means fishing for purposes including sale or barter of any or all of the fish harvested.

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Curved fork length means a measurement of the length of Atlantic tuna taken in a line tracing the contour of the body along the middle of the lateral surface from the tip of the upper jaw to the fork of the tail.

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Downrigger means a rod attached to a vessel and with a weight on a cable that is in turn attached to hook-and-line gear to maintain lures or bait at depth while trolling, and that has a release system to retrieve the weight by rod and reel or by manual, electric, or hydraulic winch after a fish strike on the hook-and-line.

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Fixed gear means stationary, anchored non-trawl gear.

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Headboat (partyboat) means a vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for hire.

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Length overall means the length listed on the vessel's U.S. Coast Guard Certificate of Documentation or Certificate of Number, or if not documented, on the vessel's state registration certificate.

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Operator, with respect to any vessel, means the master or other individual on board and in charge of that vessel.

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Recreational fishing means fishing for purposes not including sale or barter of any or all of the fish harvested.

Regional Director means

(1) For the purposes of Atlantic tuna vessel and dealer permits and Atlantic bluefin tuna dealer reports, the Director, Northeast Region, National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-3799; and for purposes of reporting for Atlantic tunas other than bluefin, the Regional

Director, Southeast Region, National Marine Fisheries Service, 9721 Executive Center Drive, St. Petersburg, FL 33702-2432.

(2) For the purposes of Pacific bluefin dealer permits and reporting, the Director, Southwest Region, National Marine Fisheries Service, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

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Rod and reel means vertical hook-and-line gear with a hand-held (includes rod holder) fishing rod and with a manually operated reel attached.

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Straight fork length means a measurement of the length of Atlantic tuna taken in a straight line along the middle of the lateral surface from a line perpendicular to the tip of the upper jaw to a line perpendicular to the fork of the tail.

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Trap means a pound net, weir or staked gill net that is maintained and operated at a fixed location.

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4. In § 285.3, paragraphs (j) and (k) are revised, and paragraphs (q), (r) and (s) are added to read as follows:

§ 285.3 Prohibitions.

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(j) For any person on board a vessel subject to the jurisdiction of the United States to fish for or catch any Atlantic tuna with gear that is not authorized under § 285.21(b) or § 285.51, or to retain or land Atlantic tunas taken with unauthorized gear.

(k) For any person to possess any Atlantic tuna on board a vessel subject to the jurisdiction of the United States that has gear on board that is not authorized under § 285.21(b) or § 285.51, unless authorized under § 285.7.

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(q) Purchase, receive, or transfer for commercial purposes any Atlantic tunas landed by owners or operators of vessels not permitted to do so under this part, or purchase, receive, or transfer for commercial purposes any Atlantic tunas without a valid dealer permit issued under this part.

(r) Sell, offer for sale, or transfer for commercial purposes any Atlantic tunas landed by owners or operators of a vessel not permitted to do so under this part or to any person or vessel without a valid dealer permit issued under this part.

(s) Dispose of fish or parts thereof or other matter in any manner, after any communication or signal from an