

PART 678—ATLANTIC SHARKS

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AUTHORITY: 16 U.S.C. 1801 *et seq.*

SOURCE: 58 FR 21944, Apr. 26, 1993, unless otherwise noted.

Subpart A—General Provisions

§678.1 Purpose and scope.

(a) The purpose of this part is to implement the Fishery Management Plan for Sharks of the Atlantic Ocean (FMP) prepared by the Secretary of Commerce.

(b) This part governs conservation and management of sharks in the management unit.

§678.2 Definitions.

In addition to the definitions in the Magnuson Act and in §620.2 of this chapter, the terms used in this part have the following meaning:

Charter vessel 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. A charter vessel with a permit issued under §678.4 is considered to be operating as a charter vessel when it carries a passenger who pays a fee or when there are more than three

persons aboard, including operator and crew.

Headboat means a vessel that holds a valid Certificate of Inspection issued by the Coast Guard to carry passengers for hire. A headboat with a permit issued under §678.4 is considered to be operating as a headboat when it carries a passenger who pays a fee or when there are more than three persons aboard, including operator and crew.

Landed or landing means to arrive at a dock, berth, beach, seawall, or ramp.

Large coastal species means any of the species, or a part thereof, listed in paragraph (1) of the definition of *management unit*.

Management unit means the following species in the Western North Atlantic Ocean including the Gulf of Mexico and the Caribbean Sea:

(1) Large coastal species:

- Basking sharks—Cetorhinidae
- Basking shark, *Cetorhinus maximus*
- Hammerhead sharks—Sphyrnidae
- Great hammerhead, *Sphyrna mokarran*
- Scalloped hammerhead, *Sphyrna lewini*
- Smooth hammerhead, *Sphyrna zygaena*
- Mackerel sharks—Lamnidae
- White shark, *Carcharodon carcharias*
- Nurse sharks—Ginglymostomatidae
- Nurse shark, *Ginglymostoma cirratum*
- Requiem sharks—Carcharhinidae
- Bignose shark, *Carcharhinus altimus*
- Blacktip shark, *Carcharhinus limbatus*
- Bull shark, *Carcharhinus leucas*
- Caribbean reek shark, *Carcharhinus perezi*
- Dusky shark, *Carcharhinus obscurus*
- Galapagos shark, *Carcharhinus galapagensis*
- Lemon shark, *Negaprion brevirostris*
- Narrowtooth shark, *Carcharhinus brachyurus*
- Night shark, *Carcharhinus signatus*
- Sandbar shark, *Carcharhinus plumbeus*
- Silky shark, *Carcharhinus falciformis*
- Spinner shark, *Carcharhinus brevipinna*
- Tiger shark, *Galeocerdo cuvieri*
- Sand tiger sharks—Odontaspidae
- Bigeye sand tiger, *Odontaspis noronhai*
- Sand tiger shark, *Odontaspis taurus*
- Whale sharks—Rhincodontidae
- Whale shark, *Rhincodon typus*

(2) Small coastal species:

- Angel sharks—Squatinae
- Atlantic angel shark, *Squatina dumerili*
- Hammerhead sharks—Sphyrnidae
- Bonnethead, *Sphyrna tiburo*
- Requiem sharks—Carcharhinidae

- Atlantic sharpnose shark, *Rhizoprionodon terraenovae*
- Blacknose shark, *Carcharhinus acronotus*
- Caribbean sharpnose shark, *Rhizoprionodon porosus*
- Finetooth shark, *Carcharhinus isodon*
- Smalltail shark, *Carcharhinus porosus*

(3) Pelagic species:

- Cow sharks—Hexanchidae
 - Bigeye sixgill shark, *Hexanchus vitulus*
 - Sevengill shark, *Hepranchias perlo*
 - Sixgill shark, *Hexanchus griseus*
- Mackerel sharks—Lamnidae
 - Longfin mako, *Isurus paucus*
 - Porbeagle shark, *Lamna nasus*
 - Shortfin mako, *Isurus oxyrinchus*
- Requiem sharks—Carcharhinidae
 - Blue shark, *Prionace glauca*
 - Oceanic whitetip shark, *Carcharhinus longimanus*
- Thresher sharks—Alopiidae
 - Bigeye thresher, *Alopias superciliosus*
 - Thresher shark, *Alopias vulpinus*

Pelagic species means any of the species, or a part thereof, listed in paragraph (3) of the definition of *management unit*.

Regional Director means the Director, Southeast Region, NMFS, 9450 Koger Boulevard, St. Petersburg, FL 33702, telephone 813-893-3141, or a designee.

Science and Research Director means the Science and Research Director, Southeast Fisheries Science Center, NMFS, 75 Virginia Beach Drive, Miami, FL 33149, telephone 305-361-5761, or a designee.

Shark means any of these species listed in the definition of the *management unit*, or a part thereof.

Shark tournament means any fishing competition involving sharks in which participants must register or otherwise enter or in which a prize or award is offered for catching a shark.

Small coastal species means any of the species, or a part thereof, listed in paragraph (2) of the definition of *management unit*.

Trip means a fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, seawall, or ramp and that terminates with return to a dock, berth, beach, seawall, or ramp.

Weightout slip means the document provided by the person weighing the shark carcasses and fins to the owner or operator of a permitted vessel that records the weights of the shark car-

casses and fins, prior to or as part of, a commercial transaction involving such shark carcasses and/or fins. Any document such as "tally slip," "trip ticket," or "sales receipt," that contains such information will be considered as a weighout slip.

§ 678.3 Relation to other laws.

(a) The relation of this part to other laws is set forth in §620.3 of this chapter and paragraphs (b) and (c) of this section.

(b) In accordance with regulations issued under the Marine Mammal Protection Act of 1972, as amended, it may be unlawful for a commercial fishing vessel, a vessel owner, or a master or operator of a vessel to engage in a longline or gillnet shark fishery in the Atlantic Ocean (including the Gulf of Mexico and Caribbean Sea) unless the vessel owner or authorized representative has complied with specified requirements including, but not limited to, registration, exemption certificates, decals, and reports, as contained in 50 CFR part 229.

(c) Regulations governing fishing in the EEZ by vessels other than vessels of the United States appear at 50 CFR part 611, subpart A, and §§611.60 and 611.61 of subpart D.

§ 678.4 Permits and fees.

(a) *Applicability*. (1) As a prerequisite for a person to sell a shark in or from the EEZ or to be eligible for an exemption from the bag limits specified in §678.22(b) for a shark taken in the EEZ, an owner or operator of a fishing vessel must obtain an annual vessel permit.

(2) For a vessel owned by a corporation or partnership to be eligible for a vessel permit, the earned income qualification specified in paragraph (b)(2)(vi) of this section must be met by, and the statement required by that paragraph must be submitted by, an officer or shareholder of the corporation, a general partner of the partnership, or the vessel operator.

(3) A vessel permit issued upon the qualification of an operator is valid only when that person is the operator of the vessel.

(4) An owner or operator who applies for a permit under paragraph (b) of this section must agree, as a condition of

such permit, that the vessel's shark fishing, catch, and gear are subject to the requirements of this part during the period of validity of the permit, without regard to whether such fishing occurs in the EEZ, landward of the EEZ, or outside the EEZ, and without regard to where such shark or gear are possessed, taken, or landed. However, if a vessel fishes on a trip solely in the waters of a single state and that state has more restrictive regulations on shark fishing, those more restrictive regulations may be applied by that state to fishing, catch, and gear on that trip.

(b) *Application for an annual vessel permit.* (1) An application for a vessel permit must be submitted and signed by the owner (in the case of a corporation, the qualifying officer or shareholder; in the case of a partnership, the qualifying general partner) or operator of the vessel. The application must be submitted to the Regional Director at least 30 days prior to the date on which the applicant desires to have the permit made effective.

(2) An applicant must provide the following information:

(i) A copy of the vessel's U.S. Coast Guard certificate of documentation or, if not documented, a copy of its state registration certificate.

(ii) The vessel's name and official number.

(iii) Name, mailing address including ZIP code, telephone number, and social security number, and date of birth of the owner (if the owner is a corporation/partnership, in lieu of the social security number, provide the employer identification number, if one has been assigned by the Internal Revenue Service (IRS), and, in lieu of the date of birth, provide the date the corporation/partnership was formed).

(iv) If the owner does not meet the earned income qualification specified in paragraph (b)(2)(vi) of this section and the operator does meet that qualification, the name, mailing address including ZIP code, telephone number, social security number, and date of birth of the operator.

(v) Information concerning vessel, gear used, fishing areas, and fisheries vessel is used in, as requested by the

Regional Director and included on the application form.

(vi) A sworn statement by the applicant certifying that, during 1 of the 3 calendar years preceding the application,

(A) More than 50 percent of his or her earned income was derived from commercial fishing, that is, sale of the catch, or from charter or headboat operations; or

(B) His or her gross sales of fish were more than \$20,000; or

(C) For a vessel owned by a corporation or partnership, the gross sales of fish of the corporation or partnership were more than \$20,000.

(vii) Documentation supporting the statement of income, if required under paragraph (b)(3) of this section.

(viii) A sworn statement that the applicant agrees to the conditions specified in paragraph (a)(4) of this section.

(ix) Any other information that may be necessary for the issuance or administration of the permit, as requested by the Regional Director and included on the application form.

(3) The Regional Director may require the applicant to provide documentation supporting the sworn statement under paragraph (b)(2)(vi) of this section before a permit is issued or to substantiate why such permit should not be revoked or otherwise sanctioned under paragraph (i) of this section. Such required documentation may include copies of appropriate forms and schedules from the applicant's income tax return. Copies of income tax forms and schedules are treated as confidential.

(c) *Change in application information.* The owner or operator of a vessel with a permit must notify the Regional Director within 30 days after any change in the application information specified in paragraph (b) of this section. The permit is void if any change in the information is not reported within 30 days.

(d) *Fees.* A fee is charged for each permit application submitted under paragraph (b) of this section. The amount of the fee is calculated in accordance with the procedures of the NOAA Finance Handbook for determining the administrative costs of each special product of service. The fee may not ex-

ceed such costs and is specified with each application form. The appropriate fee must accompany each application.

(e) *Issuance.* (1) The Regional Director will issue a permit at any time to an applicant if the application is complete and the applicant meets the earned income requirement specified in paragraph (b)(2)(vi) of this section. An application is complete when all requested forms, information, and documentation have been received and the applicant has submitted all applicable reports specified at § 678.5(a).

(2) Upon receipt of an incomplete application, the Regional Director will notify the applicant of the deficiency. If the applicant fails to correct the deficiency within 90 days of the date of the Regional Director's letter of notification, the application will be considered abandoned.

(f) *Duration.* A permit remains valid for the period specified on it, and the conditions accepted upon its issuance remain in effect for that period, unless the vessel is sold or the permit is revoked, suspended, or modified pursuant to subpart D of 15 CFR part 904.

(g) *Transfer.* A permit issued pursuant to this section is not transferable or assignable. A person purchasing a permitted vessel who desires to conduct activities for which a permit is required must apply for a permit in accordance with the provisions of paragraph (b) of this section. The application must be accompanied by a copy of a signed bill of sale.

(h) *Display.* A vessel permit issued pursuant to this section must be carried on board the vessel and such vessel must be identified as required by § 678.6. The operator of a vessel must present the permit for inspection upon the request of an authorized officer.

(i) *Sanctions and denials.* A permit issued pursuant to this section may be revoked, suspended, or modified, and a permit application may be denied, in accordance with the procedures governing enforcement-related permit sanctions and denials found at subpart D of 15 CFR part 904.

(j) *Alteration.* A permit that is altered, erased, or mutilated is invalid.

(k) *Replacement.* A replacement permit may be issued. An application for a replacement permit will not be consid-

ered a new application. A fee, the amount of which is stated with the application form, must accompany each request for a replacement permit.

[58 FR 21944, Apr. 26, 1993; 58 FR 27336, May 7, 1993]

§ 678.5 Recordkeeping and reporting.

(a) *Vessel reports*—(1) *All permitted vessels.* An owner or operator of a vessel for which a permit has been issued pursuant to § 678.4 must submit copies of weighout slips that record the weights of fish sold from any trip from which a shark is off-loaded. Such weighout slips must be submitted as follows:

(i) The owner or operator of a vessel that has been selected by the Science and Research Director to maintain and submit the logbook forms described in paragraph (a)(2) of this section must submit the copies of the sales receipts attached to such logbook forms.

(ii) The owner or operator of a vessel that has not been selected to submit the logbook forms described in paragraph (a)(2) of this section but has been selected to maintain and submit logbook forms to the Science and Research Director in a fishery other than the shark fishery must attach the copies of the sales receipts to the logbook forms for that other fishery and submit them in the time frame required for those logbook forms.

(iii) The owner or operator of a vessel that has not been selected to submit logbook forms to the Science and Research Director in any fishery must submit the copies to the Science and Research Director postmarked not later than the third day after sale of the fish off-loaded from a trip.

(2) *Selected permitted vessels.* An owner or operator of a vessel for which a permit has been issued pursuant to § 678.4 and that is selected by the Science and Research Director must maintain and submit logbook forms for each trip on forms provided by the Science and Research Director. The logbook forms will provide a record of fishing location, time fished, fishing gear used, numbers of each species caught, and numbers of each species discarded. Logbook forms must be maintained and submitted for each trip, whether or not shark are caught on that trip. The logbook forms must be submitted to

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the Science and Research Director postmarked not later than the third day after sale of the fish off-loaded from a trip. If no fishing occurred during a month, a report so stating must be submitted in accordance with instructions provided with the forms.

(b) *Tournament operators.* A person conducting a shark tournament who is selected by the Science and Research Director must maintain and submit a record of catch and effort on forms available from the Science and Research Director. Completed forms must be submitted to the Science and Research Director postmarked not later than the seventh day after the conclusion of the tournament and must be accompanied by a copy of the tournament rules.

(c) *Additional data and inspection.* Additional data may be collected by authorized statistical reporting agents, as designees of the Science and Research Director, and by authorized officers. An owner or operator of a fishing vessel and a dealer are required to make sharks available for inspection by the Science and Research Director or an authorized officer and to provide data on catch and effort, as requested.

§ 678.6 Vessel identification.

(a) *Official number.* A vessel for which a permit has been issued pursuant to § 678.4 must display its official number—

(1) On the port and starboard sides of the deck house or hull and on an appropriate weather deck so as to be clearly visible from an enforcement vessel or aircraft;

(2) In block arabic numerals in contrasting color to the background;

(3) At least 18 inches (45.7 cm) in height for fishing vessels over 65 feet (19.8 meters) in length and at least 10 inches (25.4 cm) in height for all other vessels; and

(4) Permanently affixed to or painted on the vessel.

(b) *Duties of operator.* The operator of each fishing vessel must—

(1) Keep the official number clearly legible and in good repair; and

(2) Ensure that no part of the fishing vessel, its rigging, its fishing gear, or any other material aboard obstructs

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the view of the official number from an enforcement vessel or aircraft.

§ 678.7 Prohibitions.

In addition to the general prohibitions specified in § 620.7 of this chapter, it is unlawful for any person to do any of the following:

(a) Falsify information required in § 678.4(b)(2) on an application for a permit.

(b) Fail to display a permit, as specified in § 678.4(h).

(c) Falsify or fail to provide information required to be maintained, submitted, or reported, as specified in § 678.5(a) or (b).

(d) Fail to make a shark available for inspection or provide data on catch and effort, as required by § 678.5(c).

(e) Falsify or fail to display and maintain vessel identification, as required by § 678.6.

(f) Falsify or fail to provide requested information regarding a vessel's trip, as specified in § 678.10(a).

(g) Fail to embark an observer on a trip when selected, as specified in § 678.10(b).

(h) Assault, resist, oppose, impede, harass, intimidate, or interfere with an NMFS-approved observer aboard a vessel.

(i) Prohibit or bar by command, impediment, threat, coercion, or refusal of reasonable assistance, an observer from conducting his/her duties aboard a vessel.

(j) Fail to provide an observer with the required food, accommodations, access, and assistance, as specified in § 678.10(c).

(k) Remove the fins from a shark and discard the remainder, as specified in § 678.21(a)(1).

(l) Possess shark fins aboard or off-load shark fins from a fishing vessel, except as specified in § 678.21(a) (2) and (3).

(m) Fail to release a shark in the manner specified in § 678.21(b).

(n) Exceed the bag limits, as specified in § 678.22 (a) through (c).

(o) Operate a vessel with a shark aboard in excess of the bag limits, as specified in § 678.22(d).

(p) Transfer a shark at sea, as specified in § 678.22(e).

(q) During a closure for a shark species group, retain a shark of that species group aboard a vessel that has been issued a permit under § 678.4, except as provided in § 678.24(a)(2), or sell, purchase, trade, or barter or attempt to sell, purchase, trade, or barter a shark of that species group, as specified in § 678.24.

(r) Sell, trade, or barter or attempt to sell, trade, or barter a shark harvested in the EEZ except as an owner or operator of a vessel with a permit, as specified in § 678.25(a).

(s) Purchase, trade, or barter or attempt to purchase, trade, or barter shark meat or fins harvested from the EEZ from an owner or operator of a vessel that does not have a vessel permit, as specified in § 678.25(b).

(t) Sell, purchase, trade, or barter or attempt to sell, purchase, trade, or barter shark fins that are disproportionate to the number of carcasses landed, as specified in § 678.25(c).

(u) Interfere with, obstruct, delay, or prevent by any means an investigation, search, seizure, or disposition of seized property in connection with enforcement of the Magnuson Act.

(v) Make any false statement, oral or written, to an authorized officer concerning the taking, catching, harvesting, landing, purchase, sale, possession, or transfer of a shark.

§ 678.8 Facilitation of enforcement.

See § 620.8 of this chapter.

§ 678.9 Penalties.

See § 620.9 of this chapter.

§ 678.10 At-sea observer coverage.

(a) When requested by the Science and Research Director, an owner or operator of a vessel for which a permit has been issued pursuant to § 678.4 must advise the Science and Research Director in writing not less than 10 days in advance of each trip of the following:

- (1) Departure information (port, dock, date, and time); and
- (2) Expected landing information (port, dock, and date).

(b) If a vessel's trip is selected by the Science and Research Director for observer coverage, the owner or operator of such vessel must accommodate an NMFS-approved observer.

(c) An owner or operator of a vessel on which an NMFS-approved observer is embarked must—

(1) Provide, at no cost to the observer or the United States government, accommodations and food that are equivalent to those provided to the crew;

(2) Allow the observer access to and use of the vessel's communications equipment and personnel upon request for the transmission and receipt of messages related to the observer's duties;

(3) Allow the observer access to and use of the vessel's navigation equipment and personnel upon request to determine the vessel's position;

(4) Allow the observer free and unobstructed access to the vessel's bridge, working decks, holding bins, weight scales, holds, and any other space used to hold, process, weigh, or store fish; and

(5) Allow the observer to inspect and copy the vessel's log, communications logs, and any records associated with the catch and distribution of fish.

Subpart B—Management Measures

§ 678.20 Fishing year.

The fishing year is January 1 through December 31.

§ 678.21 Harvest limitations.

(a) *Finning.* (1) The practice of "finning," that is, removing only the fins and returning the remainder of the shark to the sea, is prohibited in the EEZ or aboard a vessel that has been issued a permit pursuant to § 678.4.

(2) Shark fins that are possessed aboard or off-loaded from a fishing vessel must be in proper proportion to the weight of carcasses. That is, the weight of fins may not exceed five percent of the weight of the carcasses. All fins must be weighed in conjunction with the weighing of the carcasses at the vessel's first point of landing and such weights of the fins landed must be recorded on the weighout slips submitted by the vessel owner or operator under § 678.5(a).

(3) Shark fins may not be possessed aboard a fishing vessel after the vessel's first point of landing.

(b) *Release.* A shark that is harvested in the EEZ or harvested by a vessel that has been issued a permit pursuant to § 678.4 that is not retained—

(1) Must be released in a manner that will ensure maximum probability of survival; and

(2) If caught by hook and line, must be released by cutting the line near the hook without removing the fish from the water.

§ 678.22 Bag limits.

(a) *Applicability.* The bag limits apply to a person who fishes in the EEZ or possesses a shark in or from the EEZ aboard a vessel—

(1) When the vessel does not have on board a permit issued under § 678.4; or

(2) When the vessel is operating as a charter vessel or headboat.

(b) *Bag limits.* Bag limits are as follows:

(1) Large coastal species and pelagic species, combined—4 per fishing vessel per trip; and

(2) Small coastal species—5 per person per day.

(c) *Combination of bag limits.* A person to whom the bag limits apply may not combine a bag limit specified in paragraph (b) of this section with a bag or possession limit applicable to state waters.

(d) *Responsibility for the bag limits.* The operator of a vessel for which the bag limits apply is responsible for the vessel trip limit applicable to large coastal species and pelagic species combined, and for the cumulative bag limit applicable to small coastal species based on the number of persons aboard.

(e) *Transfer of sharks.* A person for whom a bag limit specified in this section applies may not transfer at sea a shark—

(1) Taken in the EEZ, regardless of where such transfer takes place; or

(2) In the EEZ, regardless of where such shark was taken.

§ 678.23 Commercial quotas.

(a) *Applicability.* Persons fishing aboard vessels for which vessel permits have been issued under § 678.4, except for persons aboard vessels that are operating as charter vessels or headboats, are limited to the quotas specified in

this section. Persons aboard vessels that are operating as charter vessels or headboats are limited to the bag limits, as specified in § 678.22(a)(2) and (b). Large coastal or pelagic species sharks that are sold are counted against the appropriate quota for their species group.

(b) *Semi-annual quotas.* The following commercial quotas apply:

(1) For the period January 1 through June 30, 1993:

(i) Large coastal species—1,218 metric tons, dressed weight.

(ii) Pelagic species—290 metric tons, dressed weight.

(2) For the period July 1 through December 31, 1993:

(i) Large coastal species—1,218 metric tons, dressed weight.

(ii) Pelagic species—290 metric tons, dressed weight.

(4) For the period January 1 through June 30, 1994:

(i) Large coastal species—1,285 metric tons, dressed weight.

(ii) Pelagic species—290 metric tons, dressed weight.

(2) For the period July 1 through December 31, 1994:

(i) Large coastal species—1,285 metric tons, dressed weight.

(ii) Pelagic species—290 metric tons, dressed weight.

(c) *Adjustments to quotas.* The Assistant Administrator may adjust a semi-annual quota to reflect actual catches during the preceding semi-annual period. That is, catch in excess of the semi-annual quota in the preceding period may be deducted from the current semi-annual quota and catch less than the semi-annual quota may be added. Such adjustments to semi-annual quotas will be published in the FEDERAL REGISTER. Quotas may also be adjusted under the framework procedure for adjustment of management measures, as specified in § 678.26.

§ 678.24 Closures.

(a) When a commercial quota specified in § 678.23(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 § 678.22(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)(i) 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.

§ 678.25 Restrictions on sale upon landing.

Subject to the restrictions of § 678.24,

(a) Upon landing, meat or fins from a shark harvested in the EEZ 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;

(b) Upon landing, meat or fins from a shark harvested in the EEZ may be purchased, traded, or bartered or attempted to be purchased, traded, or bartered only from the owner or opera-

tor of a vessel that has been issued a permit under § 678.4; and

(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 § 678.21(a)(2)) may not be sold, purchased, traded, or bartered or attempted to be sold, purchased, traded, or bartered.

§ 678.26 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, the species of sharks managed and the specification of the species groups to which they belong, and permitting and reporting requirements.

§ 678.27 Specifically authorized activities.

The Assistant Administrator may authorize, for the acquisition of information and data, activities otherwise prohibited by these regulations.

PART 680—WESTERN PACIFIC PRECIOUS CORALS

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- 680.23 Size restrictions.
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- 680.26 Test fisheries. [Reserved]

AUTHORITY: 16 U.S.C. 1801 *et seq.*