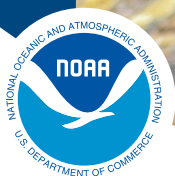




Report on the Implementation of the U.S. Seafood Import Monitoring Program



NOAA
FISHERIES

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April 2021



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Introduction

The prevention, deterrence, and elimination of illegal, unreported and unregulated (IUU) fishing practices is a critical initiative to level the playing field for law-abiding fishermen and the global seafood industry and to support sustainable management of fisheries. The U.S. government employs multiple tools to combat IUU fishing activities – the Seafood Import Monitoring Program (SIMP) is one of those tools. The focus of SIMP is to deter IUU fish and fish products and misrepresented seafood from entering U.S. commerce and to support the identification of such products while complementing existing NOAA Fisheries traceability programs for imported seafood products. SIMP mandates permitting, reporting, and recordkeeping requirements for importers of certain seafood products. As the United States imports more than 85 percent of its seafood, implementation of SIMP provides consumers with additional confidence that the imported seafood they purchase at their retail markets or in restaurants is legally harvested and truthfully represented.

Background and History

SIMP Overview and Development

Established in December 2016, SIMP instituted permitting, reporting, and recordkeeping requirements for importers of certain seafood products in order to prevent IUU fish and fish products and misrepresented seafood from entering U.S. commerce and to support identification of such products. SIMP was an output from the 2014 Presidential Task Force to Combat IUU Fishing and Seafood Fraud. The Task Force, co-chaired by the U.S. Departments of Commerce and State, with 12 other federal agencies, identified the need to develop an effective seafood traceability program to help combat IUU fishing and seafood fraud.

NOAA and its U.S. government partner agencies engaged both internationally and domestically to develop a draft plan for seafood traceability. Through a transparent rule-making process, NOAA collected information to identify species particularly vulnerable to IUU fishing and/or seafood fraud, established a traceability process, and formulated methods to report data.

An interagency team identified the principles used to determine particularly vulnerable species based on agency expertise and through public engagement and intelligence gathering efforts. The final principles included enforcement capability, species misrepresentation or mislabeling, catch document scheme, history of fishing violations, complexity of chain of custody and processing, and human health risks. The final rule identified the 13 species particularly vulnerable to IUU fishing and/or seafood fraud to be included in SIMP.

SIMP came into effect for 11 of the 13 priority species on January 1, 2018. NOAA Fisheries initially stayed the implementation requirements for shrimp and abalone to allow time for development of a comparable domestic program for aquaculture products. However, NOAA Fisheries lifted the stay on shrimp and abalone at the direction of Congress in April of 2018, and they have been included in SIMP since December 31, 2018.

Species

- Abalone
- Atlantic Cod
- Blue Crab (Atlantic)
- Dolphinfish (Mahi Mahi)
- Grouper
- King Crab (red)
- Pacific Cod
- Red Snapper
- Sea Cucumber
- Sharks
- Shrimp
- Swordfish
- Tunas (Albacore, Bigeye, Skipjack, Yellowfin, and Bluefin)

Purpose and Constraints of SIMP

SIMP is the first NOAA Fisheries trade monitoring program established and designed specifically to target the reduction of imported IUU fish and fish products into the United States. NOAA Fisheries structured SIMP as an intervention tool designed to keep product harvested via IUU fishing and mislabeled fish products out of the U.S. market. SIMP serves as both a screening tool and a deterrent.

SIMP puts expectations on importers to exercise increased control over their supply chains by requiring U.S. importers to retain chain-of-custody information for all imports of covered species, documenting each step of the supply chain from harvest through import. Importers are required to obtain a NOAA Fisheries International Fisheries Trade Permit (IFTP). At the time of entry, the importer of record is required to report, either directly or through an import broker/filer, essential information pertaining to the initial harvest and the initial offload of the fish. This includes: vessel name, vessel country (flag state), location of harvest, method of harvest (gear type), place of first off-load, and responsible entity receiving the fish, as well as other critical pieces of information. The documentation supporting this information, as well as additional chain-of-custody documentation, must be retained at the importer of record's place of business and made available for inspection or audit for two years from the time of import. The permitting, recordkeeping, and reporting requirements serve as a deterrent to IUU fish and fish products entering the U.S. market and a mechanism for identifying illegal imports.

Although there may be cases where the information provided in an entry filing leads to the interdiction of a shipment containing IUU fish or fish products or misrepresented seafood entering the United States, SIMP was not designed to support the interception of all such shipments. Such an undertaking is beyond the capacity and capabilities of SIMP or, in fact, any individual tool to combat IUU fishing or seafood fraud. The volume of imports is simply too great for this to be feasible, and the disruptions to trade would be enormous and unsustainable. SIMP was designed to balance combating IUU fishing with the burden on lawful industry and trade, and minimizing impacts to legitimate trade flow. SIMP therefore does not involve a routine examination of each and every shipment, but it does include data reporting and recordkeeping requirements that support the identification of illegal shipments through random and targeted audit and inspection.

NOAA Fisheries created SIMP under three key constraints:

1. Use of the Automated Commercial Environment (ACE) portal, the primary system or “single window” for the international trade community to submit import and export data to communicate with U.S. Customs and Border Protection (CBP) and other participating government agencies.



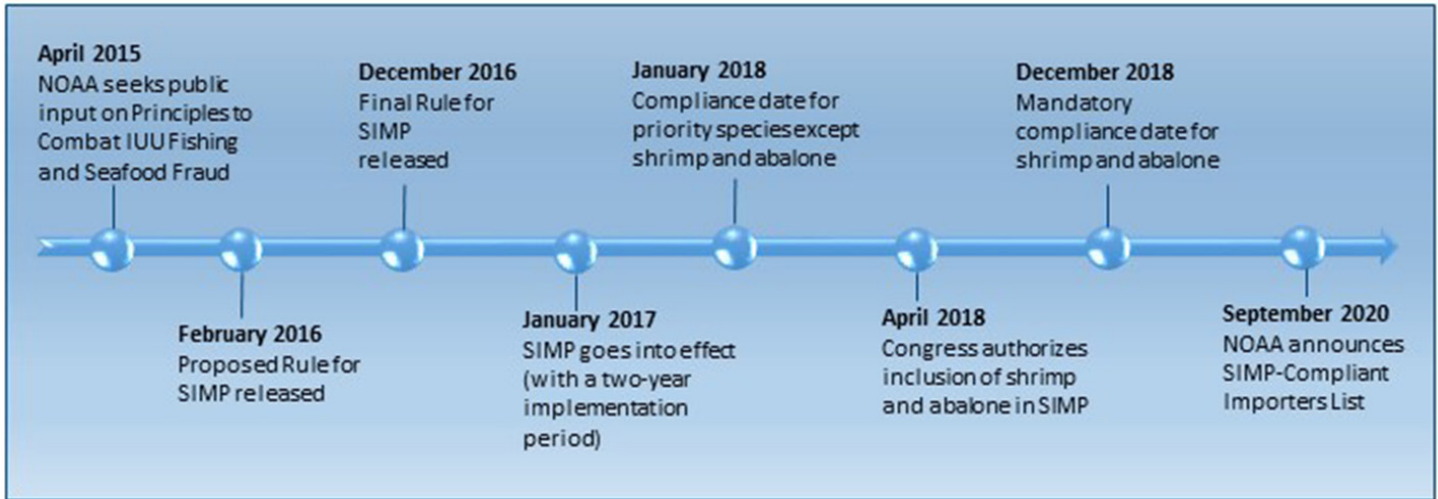
“The focus of SIMP is to deter IUU fish and fish products and misrepresented seafood from entering U.S. commerce and to support the identification of such products while complementing existing NOAA Fisheries traceability programs for imported seafood products.”

2. Lawful trade should not be stopped; SIMP regulations reflect extensive efforts to establish an effective program that minimizes the burden of compliance on industry while providing the necessary information to identify illegal and misrepresented seafood imported into the United States.
3. Use of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) provision that prohibits the import, export, transport, sale, receipt, acquisition, or purchase of fish that were taken, possessed, transported, or sold in violation of a foreign law or regulation or any treaty or in contravention of any binding conservation measure adopted by an international agreement or organization to which the United States is a party.

With these constraints, SIMP was not designed to function as a mechanism for NOAA to attest to the legality of any given seafood shipment. It is not a labeling program, and is not consumer-facing. In keeping with the MSA authority and the strict information security requirements of the International Trade Data System, the information collected under this program is confidential. SIMP is not able to trace fishery products past the point of entry into the United States.

As currently implemented, SIMP does not prevent or stop IUU fish and fish products from entering U.S. commerce. However, as discussed further below, through the comprehensive implementation of SIMP and the development of new tools, such as predictive analytics, SIMP has the potential to continually improve its ability to identify suspect shipments for targeted enforcement or audit and inspections. This will enhance SIMP’s utility both in screening shipments and in deterring future shipments of illegal product to the United States.

Timeline



Funding

Program funding allocated through appropriated funds by fiscal year.

Fiscal Year	Allocated Funding	Key Accomplishments
2017	\$1.0 million	<ul style="list-style-type: none"> Developed a new trade monitoring program for the International Trade Data System with CBP and the NOAA Fisheries Office of Science and Technology. Development and programming of information technology infrastructure to receive, access and conduct trade flow monitoring within NOAA Fisheries data systems was established. Automated Commercial Environment programming and testing. Extensive domestic and international outreach, including five roundtables for importers and brokers at major ports around the United States and visits to 10 countries across four continents. Established SIMP Support email and phone line to provide technical assistance to trade. Hosted over 30 webinars with various governments and industry, including interpretation in French, Japanese, and Spanish. Translated SIMP materials to provide resources in eight additional languages. Began work with CBP to add shrimp and abalone.
2018	\$2.2 million	<ul style="list-style-type: none"> SIMP went into effect for the initial 11 species. Developed regulations to implement a domestic reporting program for shrimp and abalone comparable to the SIMP reporting requirements and made provisions to activate requirements to incorporate shrimp and abalone into SIMP as directed by Congress.

Fiscal Year	Allocated Funding	Key Accomplishments
2018	\$2.2 million	<ul style="list-style-type: none"> • Created procedures and designated personnel for auditing entry filings using existing expertise. • Extensive outreach to shrimp and abalone exporters and domestic producers, including visits to five countries and approximately 20 presentations with the trade community.
2019	\$3.6 million	<ul style="list-style-type: none"> • SIMP in effect for all 13 species. • Established a dedicated SIMP audit team. • Outreach provided to nations and trade community upon request, including visits to Peru and multiple conferences. • Continued providing support to trade community through SIMP Support email and phone line with at least 700 inquiries.
2020	\$3.6 million ¹	<ul style="list-style-type: none"> • Collaborated with other NOAA Fisheries Trade Support Programs to develop the Seafood Import and Export Tool that assists users in determining which NOAA trade monitoring programs a specific product falls under based on user-provided information. • Established an Interactive Voice Response (IVR) and call center support lines for SIMP and SIMP Audits. • Developed the SIMP-Compliant Importers List (SIL) process to reduce audit exposure for importers who have demonstrated consistent compliance as incentive to enhance overall SIMP compliance. • Began development of a comprehensive repository of international laws, regulations, and requirements for use in assessing the legality of seafood harvest to support streamlining the process of verifying legal harvest during audits, including specific information on the forms, permits, and other documents we should expect to see when verifying legal catch from another country for a given fishery. • Reviewd audit procedure and targeted ways to integrate automation including risk-flagging for the audit selection process. • Updated SIMP Resource documentation to reflect guidance and common questions.

¹ The US-Mexico-Canada Agreement (USMCA) provided NOAA Fisheries with an additional \$8 million to combat IUU fishing, including SIMP. As the money is not related solely to SIMP, it is not included in the 2020 funding allocation.

Program Implementation

Outreach and Public Resources

NOAA Fisheries and its U.S. government partner agencies worked with importers, exporting countries, and the international fishing community to ensure understanding of SIMP’s regulatory requirements through a variety of methods including: in-person technical meetings, workshops, webinars, and informational materials, and by providing translated copies of documents and meeting interpreters in multiple languages. Additionally, NOAA Fisheries established a dedicated support phone number and email as a resource for the seafood industry and customs brokers for technical assistance. That phone number and email are included at the end of this report. The extensive outreach and response for assistance for domestic and international needs helped pave the way for successful implementation of SIMP. There have been no significant trade disruptions with the implementation of SIMP for either the initial adoption or the inclusion of shrimp and abalone. NOAA Fisheries is committed to supporting the seafood community, and remains available for assistance upon request.

Informed Compliance for Entry Filings

NOAA Fisheries initially adopted an “informed compliance” approach to the implementation of SIMP to provide opportunities to further orient importers and brokers to SIMP requirements without impeding seafood trade. NOAA Fisheries worked with CBP and filers during the informed compliance period to facilitate their full and timely compliance with SIMP. During the informed compliance period, import shipments were released for entry even if there were errors made in the submission of required SIMP data that could not be immediately corrected at the time of filing. NOAA Fisheries expected filers to correct these filings as soon as possible within the scope of CBP time restrictions. Incomplete filings not corrected in a timely manner were subject to audit, and the audit process was used to inform and support compliance efforts.



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NOAA Fisheries had a second informed compliance period with the addition of shrimp and abalone in 2019. These periods were a critical component in program implementation to ensure that the trade community had the opportunity to work through any inadvertent, unintentional, or technical concerns that may have precluded the successful submission of the harvest and landings data required under SIMP. At the conclusion of each of the informed compliance periods, entries without the correct and complete SIMP message set requirements were rejected and refused entry.

Audits & Enforcement

Audits

The purpose of a SIMP audit is to verify the harvest and landing information provided in an entry filing and the sufficiency of chain-of-custody records documenting the movement of fish and fish products from harvest to the point of entry into U.S. commerce. The NOAA Fisheries Office of International Affairs and Seafood Inspection (IASI) conducts audits under SIMP. IASI completed 3,139 audits between January 1, 2018 (the beginning of the full implementation of SIMP) and March 1, 2021. The audits are random selections of import entry filings, which has provided a strong and effective baseline for understanding program compliance and management.

Based on established criteria, auditors verify legal harvest and identify any potential noncompliance. The scope of errors, omissions, or concerns that may result in a finding of “noncompliance” represents a wide array of circumstances, from the simple misspelling of information to the identification of egregious provisions of fraudulent documents or information. IASI utilizes an automated program that randomly selects entry filings for audit on a weekly basis using established criteria to ensure that audits are performed across the full spectrum of importers and species. A revised process limits the potential for frequent exposure by some importers while missing others and ensures the progressive inclusion of a larger percentage of all SIMP importers. Noncompliance identified during the audits is addressed directly with the importers and, as appropriate, referred to the NOAA Fisheries Office of Law Enforcement (OLE) for further action. Noncompliance with the permitting, reporting, or recordkeeping requirements of SIMP constitutes a violation of the Magnuson-Stevens Fishery Conservation and Management Act and is subject to enforcement action. In the first two years of implementation, IASI auditors found that nearly 60 percent of the SIMP audits were in compliance.

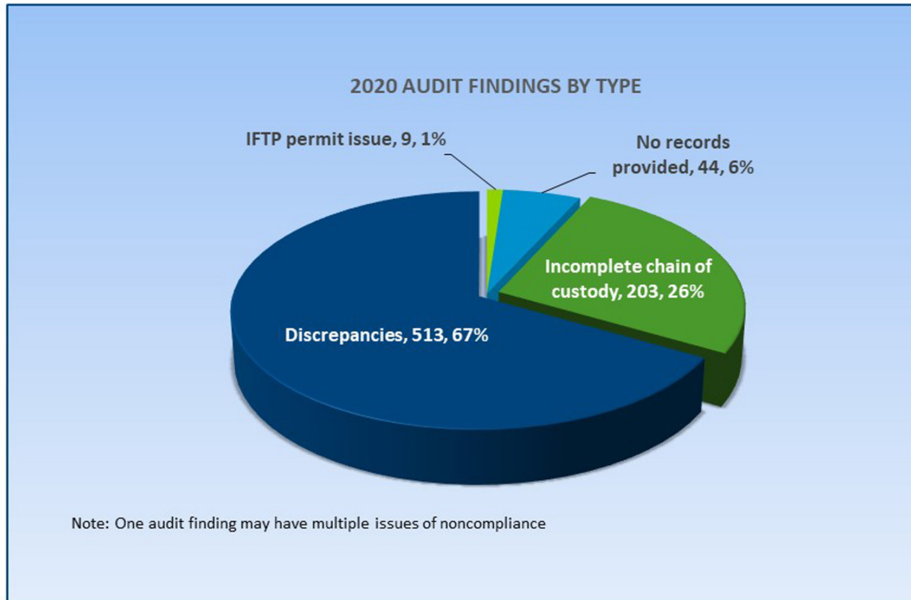
Audit Findings by type - Calendar year 2020

To improve the rate of compliance over time it is critical to carefully review the types and frequency of findings and identify priority areas for industry engagement. Audit noncompliance falls into four groups:

- **Discrepancy:** The chain of custody records provided for the audit do not support the data provided in the CBP entry filing. For example, the seafood species or harvest gear type in the entry filing did not match the information provided in the records. The traceability information provided in the entry filing must be supported with other source documentation to establish a verifiable chain of custody.
- **Deficiency:** The chain of custody records provided did not track product from its initial harvest to import into the United States. For instance, records verifying a step in the supply chain were not provided. NOAA Fisheries must be able to independently verify harvest and landing information provided in the event of an audit. Records demonstrating a complete chain of custody should identify the product, each custodian, and any product transformation at every step as the product moves through the supply chain.
- **No Records Provided:** The importer did not provide chain of custody records when requested to do so by the IASI auditors and in the time frame specified in the Guide to Audit Requirements for SIMP. The importer of record is required to maintain chain of custody records per regulations at 50 CFR § 300.324(e). SIMP does not require the retention of specific types of records, offering industry the flexibility to use any records sufficient to establish traceability through the supply chain from harvest to entry into U.S. commerce, such as declarations by harvesting and carrier vessels or bills of lading. The Guide to Audit Requirements for SIMP and final rule can be found at <https://www.fisheries.noaa.gov/international/seafood-import-monitoring-program>.
- **IFTP Issue:** The permit number provided was incorrect. Any person importing SIMP species into the United States must hold a valid IFTP. The IFTP number for the importer of record must be submitted as part of the entry filing and the importer of record is the responsible entity for retaining chain-of-custody

records for its imports covered under SIMP and making those records available for inspection or audit.

The most common issues identified are discrepancies between information reported at the time of the initial entry filing and chain of custody records provided upon request at the time of an audit. The graphic below reflect the results from the audits completed between January 1 and December 31, 2020. Out of the 1,073 audits completed, 57.3 percent were compliant while 42.7 percent were found to have various noncompliance issues.



“Beyond the validation of legal harvest, SIMP traceability data could add value to the development and implementation of fisheries management and trade policy ... Analysis of SIMP data can offer new insights into the details of seafood supply chains.”



Enforcement

The majority of SIMP audits do not identify noncompliance. Of the 40 percent that do, only a small number rise to the level that they warrant enforcement action. Those are referred to OLE.

During 2019, OLE conducted a program review, including a review of completed audits and feedback and training for the SIMP auditors on reviewing chain-of-custody documentation. The feedback and training were well received and have resulted in improved identification of cases that are appropriate for additional enforcement actions as well as more timely referrals.

OLE has worked with all of the NOAA seafood trade monitoring programs to develop new functionalities to the interface of the International Trade Data System, the database of U.S. trade data received by NOAA Fisheries from CBP. These added functionalities improve NOAA Fisheries' access to import trade data, improve search effectiveness, and facilitate easier examination of electronic information submitted by importers through the Automated Commercial Environment portal. These system changes also allow SIMP auditors electronically to refer identified compliance issues to OLE.

NOAA Fisheries provides outreach and assistance to U.S. importers in complying with SIMP requirements and avoiding the sourcing and importing of IUU harvested fish and fish products. To date, this has included issuance of a message to the U.S. importer community through CBP's Cargo Systems Messaging Service that is intended to improve compliance, facilitate legal trade, and enhance OLE's ability to take action against importers who source from vessels known to have engaged in IUU fishing. This notice informed the import community of its legal obligations when sourcing seafood products, named four vessels recently identified as having engaged in IUU fishing, and provided web links to all final IUU vessel lists published by international fisheries management organizations of which the United States is a member.

Furthermore, OLE routinely conducts inspections of seafood consignments at U.S. ports of entry; conducts inspections to monitor compliance with permit, reporting, and recordkeeping requirements; and samples fish and fish products to verify the accuracy of reporting and labeling. These activities have led to investigations in which OLE found fish and fish products subject to SIMP requirements to be falsely or inaccurately labeled, the importer failed to have complete chain-of-custody records, or OLE suspected fish or fish products to have originated from IUU fishing activities. To support these activities, OLE has conducted three nationwide operations, which included assistance from state conservation officers deputized by OLE under the Cooperative Enforcement Program. The first operation, in May 2018, focused on inspecting seafood imports and the associated records for the first 11 species and species groups implemented under SIMP. The second operation occurred in cooperation with CBP and the Food and Drug Administration, and focused specifically on allegations that albacore tuna (*Thunnus alalunga*) was imported from Spain and labeled as bonito. This operation found that some consignments of tuna were being misidentified during entry filing as bonito, which has significantly lower tariff rates. This type of misidentification can also circumvent the admissibility requirements under SIMP and other NOAA seafood trade monitoring programs. In addition to NOAA actions, CBP identified 32 companies misreporting tuna as bonito and took actions to recover nearly \$600,000 in lost revenue to the United States due to the underpayment of tariffs. In October 2019, OLE conducted its third national operation focused on SIMP compliance for abalone and shrimp in cooperation with the CBP Office of Regulatory Audit & Agency Advisory Services to facilitate the building of relationships and sharing of knowledge between CBP and OLE staff.

These enforcement activities resulted in:

- Refusals for importation of consignments of fish and fish products that lacked the required permit or reporting information.
- Issuance of penalties and warnings for program regulatory issues.
- Compliance assistance designed to provide on-the-spot correction of relatively minor violations.
- Initiation of longer-term investigations into suspected cases of IUU fish and fish products and misreported seafood.

A significant obstacle to the use of SIMP as a tool for independent identification of IUU fish and fish products is the volume of imports and the fact that, frequently, such identification requires specific detailed knowledge of the harvesting country’s fisheries laws. Given the large number of countries importing SIMP species into the United States, gaining such detailed knowledge has been challenging. Accordingly, most of the issues that have been found relate to issues apparent from the documents themselves (e.g., vessel permit dates do not match harvest dates, documents are missing). However, as discussed below, implementation of SIMP includes improving the agency’s ability to verify harvest and chain-of-custody documentation, increasing knowledge of foreign fisheries laws, and strengthening collaboration between the auditors and enforcement team, including through the use of predictive analytics for targeting specific issues.

SIMP-Compliant Importers List – Incentives for Compliance

NOAA Fisheries is committed to relieving some of the burden of SIMP on importers that have consistently demonstrated compliance with all program requirements. The SIMP-Compliant Importers List (SIL) recognizes seafood importers with a demonstrated record of compliance with SIMP audits. Benefits provided to importers on SIL include:

- A cap on the frequency of audits for qualified importers at one per quarter—providing increased predictability for a qualified importer’s SIMP-related workload, and potentially an overall reduction in SIMP audits.
- Reduction in costs to both the government and industry while incentivizing the reporting and recordkeeping requirements of SIMP.
- Public recognition of compliance under SIMP.

There are no costs to importers participating in SIL. If the importer desires recognition for its performance under SIMP, the importer has the option to allow NOAA Fisheries to list its name publicly on the SIL. Importers who do not want their name listed publicly may opt out of public recognition but will still be on the SIL and benefit from reduced frequency of random audits.

NOAA Fisheries published a proposed rule in January 2018 to establish a Commerce Trusted Trader Program (CTTP). The voluntary program was designed to offer qualified importers a reduction in reporting requirements and increased flexibility in recordkeeping for seafood imports subject to SIMP. Upon consideration of public comment, NOAA Fisheries determined that the program as proposed would not provide the anticipated benefits to industry, and SIL replaces the proposed CTTP.

More information on SIL is available at <https://www.fisheries.noaa.gov/international/seafood-import-monitoring-program>.

Innovative Applications of SIMP Data

Beyond the validation of legal harvest, SIMP traceability data could add value to the development and implementation of fisheries management and trade policy (see below for examples). Note that aggregate trade data presented in this section have not been verified by SIMP audits and are intended for demonstration purposes only.

Examining Supply Chain Complexities

Analysis of SIMP data can offer new insights into the details of seafood supply chains. To demonstrate this capacity, NOAA Fisheries examined imports of cod to identify the percentage harvested in U.S. waters, as this has been a topic of public interest.

From August 2018 to August 2019 cod imports declared under tariff codes subject to SIMP reporting show the following:

- Country of harvest: 17.63 percent of Atlantic and Pacific cod were originally harvested in the United States and exported for processing and/or cold storage prior to re-import. The other top countries of harvest for U.S. cod imports were the Russian Federation (24.30%) and Iceland (16.87%).
- Country of origin: China is the largest exporting nation of cod to the United States (47.5% of imports), followed by Iceland (24.7%) and the Russian Federation (5.9%). This indicates that China serves as a processing, reprocessing, and/or cold storage hub for cod harvested in multiple nations.
- Species breakdown: SIMP requires reporting for Atlantic (*Gadus morhua*) and Pacific (*Gadus macrocephalus*) cod species. Atlantic cod imports, at 64 percent, were almost double that of declared imports of Pacific cod at 33 percent. A small number of imports were either a mixture of Atlantic and Pacific cod, or the species was unspecified.

Understanding Imports at the Species Level

SIMP requires reporting of scientific species name at the time of import, which facilitates in-depth analysis of imports by species rather than general species groups or tariff codes. NOAA Fisheries has provided the example below concerning imports of sharks, a species group covered by SIMP, as this has been a topic of public interest.

From April 2018 to April 2019, imports declared under tariff codes subject to SIMP reporting show that shark imports represented 0.01 percent of all SIMP entries, valued at roughly \$700,000. A small fraction of these imports were declared as shark fins. Imports included 10 species and species groups:

Blue shark (*Prionace glauca*)

Daggernose shark (*Isogomphodon oxyrinchus*)

Tope shark (*Galeorhinus galeus*)

Shortfin mako (*Isurus oxyrinchus*)

Pacific angelshark (*Squatina californica*)
 Great white shark (*Carcharodon carcharias*)
 Spotted spiny dogfish (*Squalus suckleyi*)
 Angular angel shark (*Squatina guggenheim*)
 Unspecified thresher sharks (*Alopias spp*)
 Unspecified mako sharks (*Isurus spp*)

Moving Forward

In early 2020, after the implementation of SIMP for all 13 species for one full year, we took the opportunity to assess our progress in implementation, evaluate lessons learned, identify any needed course corrections, and build upon successes. Our strategic plan for SIMP includes strengthening the team dedicated to SIMP, ensuring adequate staffing, modernizing and integrating the IT infrastructure, focusing on the interplay between audits and enforcement, and making any necessary changes, both programmatic and regulatory, to more effectively implement the program. NOAA Fisheries' focus areas to improve and further implement the program include:

Dedicated Program Team with Increased Audit Capacity

Implementing the full potential of SIMP, as well as being prepared to expand and grow the program as needed, requires a dedicated program lead to provide direction and oversight, and sufficient staff to support the program.

One of our top priorities is to implement an enhanced staffing plan for SIMP that will include:

- A permanent supervisory program lead.
- Two to four program staff to implement and run the program consistent with our strategic plan, coordinate with other NOAA program offices and other agency representatives, assist in the process to modernize and integrate relevant IT systems, develop internal and external policy documents, handle congressional and stakeholder inquiries, and review and respond to technical drafting requests.
- Dedicated full time auditors. NOAA Fisheries initially used Seafood Inspection Program staff trained to perform SIMP audits in addition to their existing duties. Dedicated full-time SIMP auditors are essential to allow for more effective implementation.

Modernize and Integrate IT Infrastructure

In order for SIMP to reach its full potential, NOAA Fisheries will need further investment to modernize and integrate the infrastructure supporting SIMP. The investments for modernization include:

- Using predictive analytics to develop a smarter system for identifying risk factors and trends in shipment data to direct targeted audits.
- Developing a public interface for submitting requested documentation to streamline document submission while maintaining a secure, encrypted process that protects sensitive business information and NOAA Fisheries networks.
- Building better reporting and data analytics capabilities.

SIMP implementation would also benefit from electronically integrating all of NOAA Fisheries' seafood traceability programs. SIMP is one of four NOAA Fisheries seafood traceability programs operating in a distributed IT environment where each program has its own method for hosting and developing the software supporting it. Benefits of leveraging existing technologies and data in other traceability programs include greater long-term

system supportability, reduced duplication of infrastructure and contractor support for software development, and greater program effectiveness in establishing risk factors used for selecting targeted shipments to audit.

Assessment of Trends and Insights from Existing Data

NOAA Fisheries has been collecting SIMP audit data since 2018. With this time series, we can start to assess trends. We are reviewing existing data to assess a variety of elements of our program, including (1) whether the data we are collecting are the right data at the right resolution to provide useable information and (2) whether the audit sampling plan and sampling methodology are the correct methods to continue using.

Increased Coordination and Integration Between Audits and Enforcement

As discussed above, certain challenges have limited NOAA Fisheries' ability to identify IUU fish and fish products through SIMP alone. However, SIMP has been useful in providing additional documentation not available in the past, and is helping to identify international seafood supply chains. This critical information is being used to support targeted enforcement as well as longer-term investigations involving more extensive, sophisticated, and transnational operations engaged in IUU fishing and the trafficking of IUU fish and fish products.

Streamlined Verification of Legal Harvest

There are thousands of fisheries and authorities that manage the legal harvest of SIMP species. NOAA Fisheries is in the process of developing a comprehensive repository to support streamlining the process of verifying legal harvest documents. Work has begun to gather specific information on the forms, permits, and other documents we should expect to see when verifying legal catch from another country for a given fishery. This database will assist in identifying exactly what documentation we request of the importer.

In addition, NOAA Fisheries is already gathering information on various fisheries around the world through the List of Foreign Fisheries under the Marine Mammal Protection Act Import Provisions. This information will assist auditors in evaluating whether a seafood product is produced in a trading country.

Applicable laws and regulations are also requested of our trading partners in order to build a better knowledge base on any gaps in documentation and to better assess equivalency where needed. As we gather this information, NOAA Fisheries will work to find methods to verify the documents we gather from importers against the information provided by trading partners to determine rapid methods of detection of fraud or falsification of the documents provided to the importer by the supplier.

Enable Automated Targeting of Imports

To date, SIMP entries have been selected almost exclusively at random for audit. Only a few directed audits have been conducted. Though random selections will remain the primary approach to identifying import entries for audit attention, NOAA Fisheries will also implement targeted and directed audits as information derived from the audits and other appropriate sources dictate the need to do so.

Continue to Support Industry Compliance

NOAA Fisheries acknowledges the incredible effort of the global and domestic seafood industry and stakeholders in preparing for and complying with SIMP, and remains dedicated to providing excellent customer service to stakeholders, including:

- Performing 100 percent of mock audits requested.
- Staffing a dedicated phone and email support line for technical assistance.
- Troubleshooting entry filing with customs brokers.
- Providing clear and useful resource materials online in multiple languages.

- Hosting calls, webinars, and in-person trainings for industry in the United States and around the world upon request.
- Serving as reliable liaison to U.S. government seafood commerce and trade programs.

Reviewing and Updating Our Regulations

As part of our implementation of SIMP, we are undertaking a review of our regulations. We anticipate that this may result in a rulemaking to update our regulations based on the lessons learned through the initial implementation of SIMP. This includes the species included in SIMP. NOAA Fisheries is focused on maintaining the risk-based nature of SIMP. Risk is not static; therefore, as part of this rulemaking, we would conduct a risk-based analysis to determine whether the existing SIMP species remain at risk and whether additional species should now be included in SIMP due to increased risk. This analysis would consider the original principles used to develop the initial list of species and any other appropriate elements.

Contact Information and Additional Resources

SIMP resource materials and additional information are available at:

<https://www.fisheries.noaa.gov/international/seafood-import-monitoring-program>

More information on the NOAA Fisheries counter-IUU fishing efforts is available online through the Office of Law Enforcement and Office of International Affairs and Seafood Inspection.

<https://www.fisheries.noaa.gov/about/office-law-enforcement>

<https://www.fisheries.noaa.gov/about/office-international-affairs-seafood-inspection>

Technical support and general questions regarding SIMP compliance should be directed to SIMP Support:

- SIMPsupport@noaa.gov
- Toll: 301-427-8301; Toll free (US and Canada): 833-440-6599



U.S. Secretary of Commerce

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Performing the Duties of Under
Secretary of Commerce for Oceans and
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April 2021

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