INSTRUCTIONS FOR COMPLETING THE CERTIFICATION OF ADMISSIBILITY FORM

FOR EXPORTERS:

1. DESCRIPTION OF FISH AND FISH PRODUCTS EXPORTED INTO UNITED STATES (SEE TABLE ON THE COA FORM) –

   U.S. HARMONIZED TARIFF SCHEDULE NUMBER, SPECIES DESCRIPTION, AND PRODUCT FORM -

   Enter U.S. Harmonized Tariff Schedule (HTS) number of fish or fish products, the species description and product form in English. HTS numbers are listed on the U.S. International Trade Commission's website. HTS numbers for fish and crustaceans, molluscs and other aquatic invertebrates can be found at: https://hts.usitc.gov/. This form is only required to accompany shipments of species of fish and fish products from countries for which import restrictions have been imposed for certain fish or fish products under the High Seas Driftnet Fishing Moratorium Protection Act or the Marine Mammal Protection Act (MMPA).

   WEIGHT - Enter the total **net** weight of the shipment **in kilograms.**

   FISHING GEAR - Enter gear used to harvest fish or fish products Common examples are below and additional gear codes are available on NMFS website: https://www.fisheries.noaa.gov/resource/outreach-materials/harmonized-tariff-codes-marine-mammal-protection-act-import
   PL - Pole and Line, Hook and Line
   DN - Driftnet
   PS - Purse Seine Net
   LL - Longline
   GN - Gillnet less than 1.5 miles (2.4 km) in total length
   AQ: Aquaculture or Farm
   OTH - Other Type. Describe

VESSEL FLAG - Enter the country under whose laws the fishing vessel operated, or for certified charter vessels, enter the country that accepted responsibility for the vessels' fishing operations. If aquaculture or farm, the country in which the facility is located.

VESSEL NAME(s) AND NUMBER(s) - Enter the name of the **fishing vessel(s)** and number(s) assigned to the vessel(s)**.** If aquaculture, enter the name of the facility, farm, or company.

2. DULY AUTHORIZED OFFICIAL/AGENT OF THE APPLICANT'S GOVERNMENT – Person designated by the government of the harvesting or exporting nation (see FAQ below) to certify that the fish and fish products meet the specifications outlined on the form. (*See Frequently Asked Questions below for more information. Once import restrictions are imposed, NMFS will obtain a list of duly authorized officials/agents from the harvesting or exporting nation and post the list for U.S. Customs officials. Duly authorized officials/agents shall be representatives of the Fisheries and/or Agriculture Ministries or representatives of an institution accredited by either Ministry.)*

FOR ENTRY FILERS (CUSTOMS BROKERS):

1. At time of entry filing, submit the form, as certified by the government official of the exporting nation, to U.S. Customs and Border Protection via the Document Image System of the Automated Commercial Environment.

2. Once the shipment is released from the port, the Importer of Record must complete final certification. Submit the final completed document to U.S. Customs and Border Protection via the Document Image System of the Automated Commercial Environment as a supplement to the original entry.

FOR U.S. IMPORTERS:

1. CUSTOMS ENTRY NUMBER - Importer must enter the shipment's assigned U.S. Customs Entry Number and the date of entry (day/month/year, e.g., 15/Jan/2018).

2. U.S. IMPORTER OF RECORD/AGENT - Enter name and address of importer or consignee and contact phone number of company representative responsible for certifying that the fish and fish products contained in the shipment are accurately described. Each importer who takes custody of the shipment must sign and date the form to certify that the form and attached documentation accurately describe the shipment of fish that they accompany.

3. Return completed form to entry filer (customs broker) for submission to U.S. Customs and Border Protection via the Document Image System of the Automated Commercial Environment

FREQUENTLY ASKED QUESTIONS:

Question: Who can apply for a Certification of Admissibility (COA)?

Answer: There is no application for a COA. COA's can only be used to accompany fish and fish product sourced from fisheries that are permitted into the United States. COA reporting requirements allow for the verification that fish and fish products are **not** sourced from a prohibited fishery, and must be signed by an authorized government official of the harvesting or exporting nation (see FAQ below). Both the MMPA Import Provisions and the Moratorium Protection Act are government-to-government programs, therefore, fishery prohibitions may only be lifted with direct action by the affected foreign government. There is no mechanism or exception for fish or fish product sourced from a prohibited fishery to be permitted into the United States.

Question: How is the COA submitted to the U.S. Customs and Border Protection?

Answer: For trade restrictions imposed under the authority of the MMPA Import Provisions or the Moratorium Protection Act, NMFS works with the U.S. Customs and Border protection to identify the HTS codes that require a COA when fish are exported from the nation subject to the restriction. Imports entered under the identified HTS codes will require submission of the COA form, as certified by the government official of the harvesting or exporting nation (see FAQ below), at the time of entry filing. The form is submitted to U.S. Customs and Border Protection via the Document Image System of the Automated Commercial Environment. Once the shipment is released from the port, the Importer of Record must complete final certification. The Importer of Record must then return the form to the broker to submit the final completed document to the U.S. Customs and Border Protection via the Document Image System of the Automated Commercial Environment as a supplement to the original entry.

Question: What is the difference between a harvesting nation, an exporting nation, and the country of origin?

Harvesting Nation: A nation that manages fisheries that are exported to the United States. Harvesting nations are responsible for applying for Comparability Findings under the MMPA Import Provisions. In addition, harvesting nations are also responsible for signing COAs to attest that the seafood product harvested under their jurisdiction is not subject to any MMPA import restrictions.

Exporting Nation: A nation that exports fish or fish product to the United States. A nation may export fish and fish product sourced from its own fisheries, in which case, the harvesting nation and the exporting nation are the same. However, a nation may also export fish and fish product to the United States that is sourced from another nation's fisheries. In this case, the harvesting nation and the exporting nation are different, and the exporting nation is also considered an intermediary nation, because instead of the product being exported directly from harvesting nation to the United States, it travels to other county(ies) intermediately prior to being exported to the United States. Intermediary nations subject to import restrictions can process COA requests according to their domestic procedures, similar to harvest nations, to attest that the exported product is not subject to a restricted fishery.

Country of Origin: The country where a good is manufactured, produced, grown, or where the last point of significant transformation occurred (known as "substantial transformation"). This term is determined by the U.S. Customs and Border Protection. For the purposes of the MMPA Import Provisions, the country of origin (COO) for fish and fish product is often synonymous with the harvesting nation. Exceptions to this may occur if fish or fish product is substantially transformed in the supply chain. In these cases, the COO may be changed to the intermediary nation that is exporting the product.

Question: What information should be recorded for products of aquaculture?

Answer: If aquaculture products are entered under one of the identified HTS codes, the certification is required. "AQ" should be indicated under fishing gear, country of facility under vessel flag, and facility name under vessel name.

Question: Where can I learn whether and which fish or fish products are prohibited from importation into the United States under authority of the MMPA Import Provisions?

Answer: If a nation is denied a comparability finding, a notification will be published in the Federal Register and

posted on the NMFS MMPA Import Provisions webpage:
https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/marine-mammal-protection-act-import-provisions

Information regarding NMFS' 2025 comparability finding determinations under the MMPA Import Provisions, can be found at the following link:
https://www.fisheries.noaa.gov/international-affairs/2025-marine-mammal-protection-act-comparability-finding-determinations

Information regarding the COO and HTS codes that will require a COA for exportation into the United States beginning January 1, 2026, due to NMFS' 2025 comparability finding determinations under the MMPA Import Provisions, can be found at the following link:
https://www.fisheries.noaa.gov/resource/outreach-materials/harmonized-tariff-codes-marine-mammal-protection-act-import

Additional Information regarding COA's and seafood restrictions under the MMPA Import Provisions can be found at the following link:
https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/seafood-import-prohibitions-under-marine-mammal-protection-act

Question: Where can I learn whether and which fish or fish products are prohibited from importation into the United States under authority of the Moratorium Protection Act?

Answer: If an identified nation receives a negative certification under the Moratorium Protection Act, and fish or fish products from that nation become prohibited from importation into the United States, a notification will be published in the Federal Register and posted on the NMFS Moratorium Protection Act webpage (see the following link:
https://www.fisheries.noaa.gov/international/international-affairs/report-iuu-fishing-bycatch-and-shark-catch

The Biennial reports to Congress posted on this page contain a list of nations that have been identified under the Moratorium Protection Act for IUU fishing, bycatch of protected living marine resources, and/or shark catch. A negative certification results in denial of U.S. port access and **potential** import restrictions on fish or fish products.