

later in a particular trip as specified in § 635.24(a).

(18) [Reserved]

(19) Retain, possess, transship, land, store, sell or purchase oceanic whitetip sharks or scalloped, smooth, or great hammerhead sharks as specified in § 635.21(c)(1)(ii), § 635.22(a)(2), § 635.24, and § 635.31(c)(6).

(e) *Swordfish*. It is unlawful for any person or vessel subject to the jurisdiction of the United States to:

(1) Purchase, barter for, or trade for a swordfish from the north or south Atlantic swordfish stock without a dealer permit as specified in § 635.4(g).

(2) Fail to comply with the restrictions on use of a pelagic longline specified in § 635.21(b) and (c).

(3) When the directed fishery for swordfish is closed, exceed the limits specified in § 635.28(c)(1)(i) and (c)(1)(ii).

(4) When the incidental catch fishery for swordfish is closed, possess, land, sell, or purchase a swordfish, as specified in § 635.28(c)(2).

(5) Transfer at sea a swordfish, as specified in § 635.29(a).

(6) Fail to maintain a swordfish in the form specified in § 635.30(d).

(7) Fail to comply with the restrictions on sale and purchase of a swordfish, as specified in § 635.31(d).

(8) Fish for North Atlantic swordfish from, possess North Atlantic swordfish on board, or land North Atlantic swordfish from a vessel using or having on board gear other than pelagic longline or handgear, except as specified at § 635.21(e)(4)(i).

(9) Fish for swordfish from the South Atlantic swordfish stock using any gear other than pelagic longline.

(10) Fish for, catch, possess, retain, or land an Atlantic swordfish using, or captured on, "buoy gear" as defined at § 635.2, unless the vessel owner has been issued a swordfish directed limited access permit or a swordfish handgear limited access permit in accordance with § 635.4(f).

(11) As the owner of a vessel permitted, or required to be permitted, in the swordfish directed or swordfish handgear limited access permit category and utilizing buoy gear, to possess or deploy more than 35 individual floatation devices, to deploy more than 35 individual buoy gears per vessel, or

to deploy buoy gear without affixed monitoring equipment, as specified at § 635.21(e)(4)(iii).

(12) Fail to mark each buoy gear as required at § 635.6(c)(1).

(13) Exceed the incidental catch retention limits specified at § 635.24(b).

(14) Exceed the recreational catch limit for North Atlantic swordfish, as specified in § 635.22(f).

(15) As the owner of a vessel permitted, or required to be permitted, in the Atlantic HMS Angling or Atlantic HMS Charter/Headboat category, fail to report a North Atlantic swordfish, as specified in § 635.5(c)(2) or (c)(3).

(16) Possess any HMS, other than Atlantic swordfish, harvested with buoy gear § 635.21(e).

(17) Fail to construct, deploy, or retrieve buoy gear as specified at § 635.21(e)(4)(iii).

[64 FR 29135, May 28, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 635.71, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

EFFECTIVE DATE NOTE: At 76 FR 49380, Aug. 10, 2011, in § 648.71, paragraph (d)(18) was added, and the effective date was delayed indefinitely. For the convenience of the user the added text is set forth as follows:

§ 635.71 Prohibitions.

\* \* \* \* \*

(d) \* \* \*

(18) Retain or possess on board a vessel in the trawl fishery smoothhound sharks in an amount that exceeds 25 percent, by weight, of the total fish on board or offloaded from the vessel, as specified at § 635.24(a)(7).

\* \* \* \* \*

APPENDIX A TO PART 635—SPECIES TABLES

TABLE 1 OF APPENDIX A TO PART 635—OCEANIC SHARKS

A. Large Coastal Sharks

1. Ridgeback sharks:

- Sandbar, *Carcharhinus plumbeus*
- Silky, *Carcharhinus falciformis*
- Tiger, *Galeocerdo cuvier*

2. Non-ridgeback sharks:

- Blacktip, *Carcharhinus limbatus*
- Bull, *Carcharhinus leucas*

TABLE 1 OF APPENDIX A TO PART 635—  
OCEANIC SHARKS—Continued

Great hammerhead,	<i>Sphyrna</i>
<i>mokarran</i>	
Lemon, <i>Negaprion brevirostris</i>	
Nurse, <i>Ginglymostoma cirratum</i>	
Scalloped hammerhead,	<i>Sphyrna</i>
<i>lewini</i>	
Smooth hammerhead,	<i>Sphyrna</i>
<i>zygaena</i>	
Spinner, <i>Carcharhinus brevipinna</i>	
<b>B. Small Coastal Sharks</b>	
Atlantic sharpnose,	<i>Rhizoprionodon</i>
<i>terraenovae</i>	
Blacknose, <i>Carcharhinus acronotus</i>	
Bonnethead, <i>Sphyrna tiburo</i>	
Finetooth, <i>Carcharhinus isodon</i>	
<b>C. Pelagic Sharks</b>	
Blue, <i>Prionace glauca</i>	
Oceanic whitetip,	<i>Carcharhinus</i>
<i>longimanus</i>	
Porbeagle, <i>Lamna nasus</i>	
Shortfin mako, <i>Isurus oxyrinchus</i>	
Thresher, <i>Alopias vulpinus</i>	
<b>D. Prohibited Sharks</b>	
Atlantic angel, <i>Squatina dumerili</i>	
Basking, <i>Cetorhinus maximus</i>	
Bigeye sand tiger, <i>Odontaspis noronhai</i>	
Bigeye sixgill, <i>Hexanchus nakamurai</i>	
Bigeye thresher, <i>Alopias superciliosus</i>	
Bignose, <i>Carcharhinus altimus</i>	
Caribbean reef, <i>Carcharhinus perezii</i>	
Caribbean sharpnose, <i>Rhizoprionodon</i>	
<i>porosus</i>	
Dusky, <i>Carcharhinus obscurus</i>	
Galapagos, <i>Carcharhinus galapagensis</i>	
Longfin mako, <i>Isurus paucus</i>	
Narrowtooth, <i>Carcharhinus brachyurus</i>	
Night, <i>Carcharhinus signatus</i>	
Sand tiger, <i>Carcharias taurus</i>	
Sevengill, <i>Hepttranchias perlo</i>	
Sixgill, <i>Hexanchus griseus</i>	
Smalltail, <i>Carcharhinus porosus</i>	
Whale, <i>Rhincodon typus</i>	
White, <i>Carcharodon carcharias</i>	
<b>E. Smoothhound Sharks</b>	
Smooth dogfish, <i>Mustelus canis</i>	
Florida smoothhound, <i>Mustelus norrisi</i>	

TABLE 2 OF APPENDIX A TO PART 635—PELAGIC  
SPECIES

Albacore tuna, <i>Thunnus alalunga</i>
Bigeye tuna, <i>Thunnus obesus</i>
Blue shark, <i>Prionace glauca</i>
Bluefin tuna, <i>Thunnus thynnus</i>
Dolphin fish, <i>Coryphaena hippurus</i>
Oceanic whitetip shark, <i>Carcharhinus</i>
<i>longimanus</i>
Porbeagle shark, <i>Lamna nasus</i>

Shortfin mako shark, *Isurus oxyrinchus*  
 Skipjack tuna, *Katsuwonus pelamis*  
 Swordfish, *Xiphias gladius*  
 Thresher shark, *Alopias vulpinus*  
 Wahoo, *Acanthocybium solandri*  
 Yellowfin tuna, *Thunnus albacares*

TABLE 3 OF APPENDIX A TO PART 635—  
DEMERSAL SPECIES

Atlantic sharpnose shark, *Rhizoprionodon*  
*terraenovae*  
 Black grouper, *Mycteroperca bonaci*  
 Blackfin snapper, *Lutjanus buccanella*  
 Blacknose shark, *Carcharhinus acronotus*  
 Blacktip shark, *Carcharhinus limbatus*  
 Blueline tilefish, *Caulolatilus micropus*  
 Bonnethead shark, *Sphyrna tiburo*  
 Bull shark, *Carcharhinus leucas*  
 Cubera snapper, *Lutjanus cyanopterus*  
 Dog snapper, *Lutjanus jocu*  
 Finetooth shark, *Carcharhinus isodon*  
 Gag grouper, *Mycteroperca microlepis*  
 Lane snapper, *Lutjanus synagris*  
 Lemon shark, *Negaprion brevirostris*  
 Mangrove snapper, *Lutjanus griseus*  
 Marbled grouper, *Dermatolepis inermis*  
 Misty grouper, *Epinephelus mystacinus*  
 Mutton snapper, *Lutjanus analis*  
 Nurse shark, *Ginglymostoma cirratum*  
 Queen snapper, *Etelis oculatus*  
 Red grouper, *Epinephelus morio*  
 Red hind, *Epinephelus guttatus*  
 Red snapper, *Lutjanus campechanus*  
 Rock hind, *Epinephelus adscensionis*  
 Sand tilefish, *Malacanthus plumieri*  
 Sandbar shark, *Carcharhinus plumbeus*  
 Schoolmaster snapper, *Lutjanus apodus*  
 Silk snapper, *Lutjanus vivanus*  
 Snowy grouper, *Epinephelus niveatus*  
 Speckled hind, *Epinephelus drummondhayi*  
 Spinner shark, *Carcharhinus brevipinna*  
 Tiger shark, *Galeocerdo cuvieri*  
 Tilefish, *Lopholatilus chamaeleonticeps*  
 Vermilion snapper, *Rhomboplites aurorubens*  
 Warsaw grouper, *Epinephelus nigritus*  
 Yellowedge grouper, *Epinephelus*  
*flavolimbatus*  
 Yellowfin grouper, *Mycteroperca venenosa*  
 Yellowtail snapper, *Ocyurus chrysurus*

[64 FR 29135, May 28, 1999 as amended at 71  
 FR 58174, Oct. 2, 2006; 75 FR 30528, June 1,  
 2010]

EFFECTIVE DATE NOTE: At 75 FR 30528, June  
 1, 2010, the appendix to part 635 was amended  
 by revising table 1. Section E of this table  
 contains information collection and record-  
 keeping requirements and will not become  
 effective until approval has been given by  
 the Office of Management and Budget.