

be deemed to be whole Atlantic bluefish using a ratio of 1:2 (two fillets to one whole fish). If Atlantic bluefish are filleted into single (butterfly) fillets, such fillets shall be deemed to be whole Atlantic bluefish.

(4) Atlantic bluefish harvested from party and charter boats or other vessels carrying more than one person may be commingled. Compliance with the daily possession limit will be determined by dividing the number of Atlantic bluefish on board by the number of persons aboard, provided, however, that if a person or persons aboard are fishing under a permit meeting the requirements of § 648.4(a)(8), his/her catch shall not be counted for determining compliance with the possession limit, if it is maintained in the possession of such person(s). If there is a violation of the possession limit on board a vessel carrying more than one person, the violation shall be deemed to have been committed by the owner and/or operator.

(b) *Adjustment of the possession limit.* After notice and 15 days opportunity for public comment, NMFS may adjust the possession limit within a range of 0 to 15 Atlantic bluefish based on a recommendation of the MAFMC and Commission. NMFS will publish a notice of any proposed adjustment, together with the basis for such adjustment, in the Federal Register. After consideration of any public comments, NMFS may adjust the possession limit by publishing a notice of adjustment in the Federal Register.

§ 648.162 Catch monitoring, commercial controls, and gear restrictions.

(a) The Bluefish Committee will review bluefish catch statistics, a projection of the commercial share for the next fishing year, and the most recent stock assessment prior to August 15th of each year. The Bluefish Committee will report to the MAFMC and the Commission.

(b) The MAFMC and the Commission will review the report of the Bluefish Committee. If the report indicates that the commercial catch for the next fishing year will equal or exceed 20 percent of the total catch (recreational catch plus commercial landings) of Atlantic bluefish, the MAFMC and Commission will propose the commercial controls to be implemented at the start of the upcoming year. If the report indicates that the commercial catch will be greater than 17 percent but less than 20 percent of the total catch of Atlantic bluefish, or that the commercial share for the last full year is 50 percent greater than the previous year's commercial share, the MAFMC and Commission will determine whether commercial controls are necessary. In

making such a determination the MAFMC and Commission will consider:

- (1) The most recent catch data.
- (2) Trends in the fishery.
- (3) Any other relevant factors.

(c) If the catch in the commercial fishery is projected to equal or exceed the 20 percent limit during the upcoming year, then a state allocation system will be implemented. This will entail the use of landings data from the most recent 10-year period for each state, to determine the average percentage of each state's coastwide commercial landings. These percentages will be used to determine the amount of the coastwide quota allocated to each state. Quotas will apply to landings in each state, regardless of where the bluefish were caught.

(d) If whole Atlantic bluefish are processed into fillets at sea, then fillet weight will be converted to whole weight at the state of landing by multiplying fillet weight by 2.5. If whole Atlantic bluefish are headed and gutted at sea, then the conversion is accomplished by multiplying headed/gutted weight by 1.5.

(e) If the MAFMC concludes that the increase in the commercial catch is attributable to the use of purse seines, pair trawls, or encircling (runaround) gillnets, then it will propose restrictions applicable to that gear type. In determining what restrictions are necessary to control the catch of Atlantic bluefish by commercial fishermen using these gear types, the MAFMC may consider:

- (1) Trip limits;
- (2) Area closures;
- (3) Banning the use of these gear

types; or
(4) Any other measures it deems appropriate.

(f) The Regional Administrator will review any gear restrictions proposed by the MAFMC. If the Regional Administrator concurs that the proposed gear restrictions are consistent with the goals and objectives of the FMP, the national standards, and other applicable law, the Regional Administrator will recommend that NMFS publish a notice of the proposed restrictions in the Federal Register with a 30-day public comment period. After publication of such notice and after consideration of any public comments, NMFS may impose such restrictions by publishing a notice of gear restrictions in the Federal Register.

(g) NMFS may rescind any gear restriction if it finds, based on the advice of the MAFMC through the process set forth in paragraphs (a) and (b) of this section, that the restriction is no longer necessary.

§ 648.163 Closure of the fishery.

The Regional Administrator shall close the commercial fishery for

Atlantic bluefish in the EEZ if the commercial fisheries for Atlantic bluefish have been closed in all Atlantic coastal states.

PART 628—[REMOVED]

9. Part 628 is removed.
[FR Doc. 97-6956 Filed 3-19-97; 8:45 am]
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COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 15, 18 and 19

Reports by Large Traders; Cash Position Reports in Grains (Including Soybeans) and Cotton

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rulemaking; correction.

SUMMARY: CFTC is correcting an error in reports by large traders previously published in the Federal Register on February 11, 1997, (62 FR 6112). The original document contained an erroneous word and inconsistent wording.

EFFECTIVE DATE: April 14, 1997.

FOR FURTHER INFORMATION CONTACT: Lamont Reese, Commodity Futures Trading Commission, Division of Economic Analysis, Three Lafayette Centre, 1155 21st St., N.W., Washington, D.C. 20581.

Correction

In the final rule FR Doc. 97-3395, beginning on page 6112 in the Federal Register issue of February 11, 1997, make the following correction:

§ 15.01 [Corrected]

On page 6113, in the third column, in paragraph (d)(1) of § 15.01, the reference to "futures and option and positions" is corrected to read "futures and option positions."

§ 18.04 [Corrected]

On 6114, in the first column, in § 18.04, in the second line, the reference to "options or futures position" is corrected to read "futures and option position."

§ 19.00 [Corrected]

On page 6114, in the second column, in § 19.00, in paragraph (a)(1), the reference to "options or futures positions" is corrected to read "futures and option positions."

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-6972 Filed 3-19-97; 8:45 am]

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