DEPARTMENT OF STATE

[Public Notice 7013]

Certifications Pursuant to Section 609 of Public Law 101–162

SUMMARY: On April 30, 2010, the Department of State certified, pursuant to Section 609 of Public Law 101–162 (“Section 609”), that 13 nations have adopted programs to reduce the incidental capture of sea turtles in their shrimp fisheries comparable to the program in effect in the United States. The Department also certified that the fishing environments in 25 other countries and one economy do not pose a threat of the incidental taking of sea turtles protected under Section 609.

DATES: Effective Date: On Publication.

FOR FURTHER INFORMATION CONTACT: James J. Hogan, III, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, Washington, DC 20520–7818; telephone: (202) 647–2252.

SUPPLEMENTARY INFORMATION: Section 609 of Public Law 101–162 prohibits imports of certain categories of shrimp unless the President certifies to the Congress not later than May 1 of each year either: (1) That the harvesting nation has adopted a program governing the incidental capture of sea turtles in its commercial shrimp fishery comparable to the program in effect in the United States and has an incidental take rate comparable to that of the United States; or (2) that the fishing environment in the harvesting nation does not pose a threat of the incidental taking of sea turtles. The President has delegated the authority to make this certification to the Department of State. Revised State Department guidelines for making the required certifications were published in the Federal Register on July 2, 1999 (Vol. 64, No. 130, Public Notice 3086).

On April 30, 2010, the Department certified 13 nations on the basis that their sea turtle protection programs are comparable to that of the United States: Belize, Colombia, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Madagascar, Nicaragua, Nigeria, Pakistan, Panama and Suriname.

The Department also certified 25 shrimp harvesting nations and one economy as having fishing environments that do not pose a danger to sea turtles. Sixteen nations have shrimp harvesting grounds only in cold waters where the risk of taking sea turtles is negligible. They are: Argentina, Belgium, Canada, Chile, Denmark, Finland, Germany, Iceland, Ireland, the Netherlands, New Zealand, Norway, Russia, Sweden, the United Kingdom, and Uruguay. Nine nations and one economy only harvest shrimp using boats with crews of less than five that use manual rather than mechanical means to retrieve nets, or catch shrimp using other methods that do not threaten sea turtles. Use of such small-scale technology does not adversely affect sea turtles. The nine nations and one economy are: The Bahamas, China, the Dominican Republic, Fiji, Hong Kong, Jamaica, Oman, Peru, Sri Lanka and Venezuela.

The Department of State withdrew Mexico’s certification in March 2010 because Mexico’s turtle protection program is not currently comparable to the U.S. program. An import prohibition went into effect on April 20, 2010. The United States Government and the Government of Mexico are working together to strengthen Mexico’s Turtle Excluder Device (TED) program and to advance shared sea turtle conservation goals. Both governments are engaged to ensure renewal of Mexican certification within the shortest period of time consistent with the requirements of U.S. law.

The Department has certified Venezuela once again, albeit on a different basis than last year. In March 2008, the Government of Venezuela passed a law banning industrial shrimp trawling in its waters. The ban remains in effect. As a result, the Department has certified Venezuela as a nation whose fishing environment does not pose a threat of the incidental taking of sea turtles.

The Department of State has communicated the certifications under Section 609 to the Office of Field Operations of U.S. Customs and Border Protection.

In addition, this Federal Register Notice confirms that the requirement for all DS–2031 forms from uncertified nations must be originals and signed by the competent domestic fisheries authority. This policy change was first announced in a Department of State
In order for shrimp harvested with Turtle Excluder Devices (TEDs) in an uncertified nation to be eligible for importation into the United States under the exemption: “Shrimp harvested by commercial shrimp trawl vessels using TEDs comparable in effectiveness to those required in the United States”, the Department of State must determine in advance that the government of the harvesting nation has put in place adequate procedures to ensure the accurate completion of the DS–2031 forms. At this time, the Department has made such a determination only with respect to Australia, Brazil and France. Thus, the importation of TED-caught shrimp from any other uncertified nation will not be allowed. For Brazil, only shrimp harvested in the northern shrimp fishery are eligible for entry under this exemption. For Australia, shrimp harvested in the Exmouth Gulf Prawn Fishery, the Northern Prawn Fishery, the Queensland East Coast Trawl Fishery and the Torres Strait Prawn Fishery is eligible for entry under this exemption. For France, shrimp harvested in the French Guiana domestic trawl fishery are eligible for entry under this exemption.

In addition, the Department has already made a determination with regard to wild-harvest shrimp harvested in the Spencer Gulf region in Australia. This product may be exported to the U.S. using a DS–2031 under the exemption for “shrimp harvested in a manner or under circumstances determined by the Department of State not to pose a threat of the incidental taking of sea turtles.” An official of the Government of Australia still also must certify the DS–2031.

Dated: May 12, 2010.

David A. Balton, Deputy Assistant Secretary for Oceans and Fisheries, Department of State.

DEPARTMENT OF STATE

[Public Notice 7014]

Shipping Coordinating Committee; Notice of Committee Meeting

The Shipping Coordinating Committee (SHC) will conduct an open meeting at 9:30 a.m. on Tuesday, June 8, 2010, in Room 6100 of the United States Coast Guard Headquarters Building, 2100 Second Street, SW., Washington, DC 20593–0001. The primary purpose of the meeting is to prepare for the International Maritime Organization (IMO) Diplomatic Conference to amend the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 and the Seafarers’ Training, Certification and Watchkeeping (STCW) Code (STCW CONF.2) to be held at the Philippine International Convention Center (PICC), in Manila, The Philippines, from June 21 to June 25, 2010.

The primary matters to be considered include:

— Adoption of the agenda
— Adoption of the Rules of Procedure
— Election of Vice-Presidents and other officers of the Conference
— Appointment of the Credentials Committee
— Organization of the work of the Conference, including the establishment of other committees, as necessary
— Consideration of the draft amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978
— Consideration of the draft amendments to the Seafarers’ Training, Certification and Watchkeeping (STCW) Code
— Consideration of draft resolutions and recommendations and related matters
— Consideration of the reports of the credentials committees and other committees
— Adoption of the Final Act and any instruments, resolutions and recommendations resulting from the work of the Conference
— Signature of the Final Act of the Conference

Members of the public may attend this meeting up to the seating capacity of the room. To facilitate the building security process, those who plan to attend should contact the meeting coordinator, Ms. Zoe Goss, by e-mail at zoa.a.goss@uscg.mil, by phone at (202) 372–1425, by fax at (202) 372–1925, or in writing at Commandant (CG–5212), U.S. Coast Guard, 2100 2nd Street, SW., Stop 7126, Washington, DC 20593–7126. A member of the public requesting reasonable accommodation should make such request prior to Tuesday, June 8, 2010, 7 days prior to the meeting date. Requests made after this date may not be accommodated.

DEPARTMENT OF STATE

[Public Notice 7015]

Shipping Coordinating Committee; Notice of Committee Meeting

The Shipping Coordinating Committee (SHC) will conduct an open meeting at 9 a.m. on Wednesday, June 23, 2010, in Conference Room 05–1224 of the United States Coast Guard Headquarters Building, 2100 Second Street, SW., Washington, DC 20593–0001. The primary purpose of the meeting is to prepare for the eighteenth Session of the International Maritime Organization (IMO) Subcommittee on Flag State Implementation (FSI) to be held at the IMO headquarters in London, United Kingdom, from July 5 to July 9, 2010.

The primary matters to be considered include:

— Adoption of the agenda;
— Decisions of other IMO bodies;
— Responsibilities of Governments and measures to encourage Flag State compliance;
— Mandatory reports under International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78);
— Port reception facilities-related issues;
— Casualty statistics and investigations;
— Harmonization of port State control activities;
— Port State Control (PSC) Guidelines on seafarers’ working hours and PSC guidelines in relation to the Maritime Labour Convention, 2006;
— Development of guidelines on port State control under the 2004 Ballast Water Management (BWM) Convention;
— Review of Guidelines for the inspection of anti-fouling systems on ships;
— Comprehensive analysis of difficulties encountered in the implementation of IMO instruments;