

申請及核發水產品輸銷美國資格證明書 作業要點

- 一、農業部（以下簡稱本部）為辦理我國海洋漁獲物種或其產製品及養殖魚貨（以下簡稱水產品）輸銷美國應檢附政府簽證之資格證明書（以下簡稱輸美資格證明書），特訂定本要點。
- 二、申請核發輸美資格證明書之受理機關為本部漁業署。
- 三、申請出口須檢附輸美資格證明書之水產品（其貨品號列如附件一），且符合下列資格之一者，得依本要點申請輸美資格證明書：

- （一）沿近海漁船之漁業人。
- （二）遠洋漁船之經營者。
- （三）定置漁業權之漁業人。
- （四）養殖漁業管理系統登錄有案之養殖業者。
- （五）出口業者。

前項第五款出口業者係出口遠洋漁業漁獲物或漁產品者，應符合「遠洋漁業漁獲物或漁產品出口業者核准及管理辦法」規定。

- 四、申請人應填具申請書（格式如附件二）及輸美資格證明書（格式如附件三），並依下列規定檢附文件，向本部漁業署提出申請：

- （一）沿近海漁船之漁業人：檢附申請海洋漁獲物當航次之卸魚聲明書。
- （二）遠洋漁船之經營者：檢附申請海洋漁獲物當航次之卸魚聲明收繳通知書。

(三) 定置漁業權之漁業人：檢附定置漁業權漁業執照影本及登錄定置網漁業查報系統紀錄之證明資料。

(四) 養殖漁業管理系統登錄有案之養殖業者：檢附養殖漁業放養量申(查)報之資料。

(五) 出口業者：依漁獲物種之捕獲來源，檢附前四款規定之文件及魚市場交易之計價單等交易證明文件。

(六) 出口調製水產品，檢附加工製成說明資料(內容應敘明製成率及使用率)

遠洋漁船之經營者，應於電子漁獲回報系統確實填寫申請之漁獲物種及數量。

五、有下列情形之一者，不予核發輸美資格證明書：

(一) 未依前點規定檢附資料完整且清晰之申請文件，經命限期補正而屆期不補正或補正不完全。

(二) 申請輸美之海洋漁獲物係由主營或兼營之刺網漁業漁船捕獲。

(三) 捕撈漁獲物之漁船，列名國際漁業組織或歐盟公告之非法、未報告、不受規範(IUU)漁船名單。

(四) 漁船運載漁獲物進港時，規避、妨礙或拒絕本部漁業署指派人員檢查。

(五) 申請之海洋漁獲物種，依漁業法、遠洋漁業條例或經該漁船作業洋區所管轄之國際漁業組織列為禁捕物種。

(六) 遠洋漁船之經營者違反前點第二項規定，未於電子漁獲回報系統回報申請之海洋漁獲物種及數量。

(七) 漁船當航次累積申請之海洋漁獲物種及數量超出實際卸魚量。

(八)申請之養殖漁獲物之養殖業者於養殖漁業管理系統前年度或當年度均無放養量申(查)報紀錄。

(九)出口業者出口之調製水產品重量，經製成率及使用率換算後，高於交易證明文件所承購之重量。

附件一、須檢附輸美資格證明書之水產品貨號

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
Taiwan	Taiwan	890	Cephalopods nei	Cephalopoda	DN, GIL, GN, TN, BB, BBF, BBI, SPO, SUR	0307.42.00.20, 0307.42.00.40, 0307.42.00.60, 0307.43.00.10, 0307.43.00.22, 0307.43.00.24, 0307.43.00.29, 0307.43.00.50, 0307.43.00.60, 0307.49.01.22, 0307.49.01.24, 0307.49.01.29, 0307.49.01.50, 0307.49.01.60, 0307.51.00.00, 0307.52.00.00, 0307.59.01.00, 0307.91.03.90, 0307.92.01.90, 0307.99.03.00, 0309.90.40.90, 0309.90.50.90, 0309.90.60.00, 0309.90.90.00, 1605.54.05.00, 1605.54.60.10, 1605.54.60.20, 1605.54.60.30, 1605.55.05.00, 1605.55.60.00, 1604.20.05.10, 1604.20.05.90, 1605.59.05.00, 1605.59.60.00,	CEP, NUX, NUK, IAJ, IAZ, EJA, WOA, EJA, EIP, EJR, EJU, EJT, IEB, WTB, EJB, EJG, EIJ, WTC, EJE, WTE, EJA, EJO, EJK, EJA, WTG, WTH, CVT, WON, EIQ, EJA, IAL, IAO, EIA, EJD, IAM, WTQ, EJA, CTC, IAA, IAQ, IAR, WSP, IAD, IAT, IAH, WTA, WTK, EJA, WTR, IAE, WTA, IAV, WOO, WTY, WTF, EIA, WSU, EJA, IAI, IAN, IEV, WTV, WSZ, WSW, WUZ, IAX, ILR, IEJ, WTO, IEO, WRW, IEX, CTL, IOU, IOL, OJA, OJG, OJB, IOZ, EMY, EYQ, EYZ, HHP, HZS, IOB, IOQ, NEK, OTO, OJU, ROA, OJP, OJT, OZK, MQI, IRE, ITG, ITB, ITW, IOF, IOT, IOI, IOR,

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
						1605.69.00.00	CTR, IOE, IOX, IIN, UTK, HZW, EDZ, EDK, EZL, RKS, IUM, OUK, OUM, OUL, OUW, SQP, OJL, SQO, SQL, OJO, OJR, OJS, OJM, OGK, SQF, CHO, SQR, SQC, OGB, OJJ, OJK, OJY, IUB, OKD, IUJ, SQT, UHU, UHL, UHS, UHW, URB, OJH, OJD, OJE, OJI, OJN, SQZ, NKL, YHA, BQP, BQR, BRC, FIQ, KTP, KTV, YXS, ZBL, ZEI, GTH, YUV, ZLP, ICR, ZMK, EKH, WMG, ZTP, TWM, CYC, BLK, BLJ, BJF, WTS, YTT, YTW, GTE, GTK, GTI, GTD, GTJ, GTY, GTP, YTH, GDW, HQB, HQC, HQS, FOX, HQL, LHQ, OKS, NID, GIS, YMU, HQJ, SQA, SQM, SQI, IXO, ILL, SQS, NDG, NDH,

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
							TSQ, QND, OFJ, OFC, OMM, OKA, OKL, YMO, OFE, SQG, TFP, SQJ, SQE, QSX, TDQ, TWE, OMZ, NHL, UHK, OIJ, FMO, YHB, YHJ, UHY, UHN, UHR, UHB, UHX, UWV, FTD, FTB, PSG, TID, YRM, YUR, SQU, GGO, GJH, GFN, GJY, GAX, YHT, TUV, TXN, YYA, YYS, BTC, BUY, EOI, EDY, EDT, OCM, OQF, QGU, EZM, EZE, VSS, TWP, VBY, VBH, VWG, DWO, TWT, PRD, TLQ, TVG, VAZ, QHU, OUI, OTY, OFY, OQR, OCW, OCN, LLK, KTI, EXL, QHL, QQD, ZOW, OTQ, OCC, OQC, OZI, OQL, OKT, OQH, OQJ, OQY, QDM, OQI, VXP, OQV, OQT, OQN, OKH,

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
Taiwan	Taiwan	890	Mulletts nei	Mugilidae	DN, GIL, GN, TN, BB, BBF, BBI, SPO, SUR	0302.91.40.10, 0303.89.00.49, 0303.91.40.60, 0302.89.11.40, 0302.89.50.77, 0302.91.40.90, 0302.99.00.00, 0303.89.00.80, 0303.91.40.95, 0303.99.00.00, 0304.49.01.90, 0304.59.00.91, 0304.89.10.90, 0304.89.50.91, 0304.99.11.04, 0304.99.11.09, 0304.99.11.94, 0304.99.91.90, 0304.99.91.92, 0305.20.40.65, 0305.39.61.80, 0305.49.40.45, 0305.59.00.01, 0305.69.50.01, 0305.69.60.01, 0305.72.00.00, 0305.79.00.00, 0309.10.05.00, 0309.10.90.00, 0309.90.90.00,	OKE, OKJ, OCC, OKZ, OCZ, OGV, DTS, OCJ, UGU, OCT, SUY, UZS, QEJ, UHD, QBX, XXO, VYI, MOL FOG, MAJ, MAD, GHS, MCW, GPY, GXE, MCQ, MGA, MBP, LZD, MLR, QPE, LZR, MPK, MGC, LZR, LZS, LZU, VCC, MHE, VMH, AJW, LZV, MUA, LZZ, VMC, MGK, VMX, KZS, MUO, MUF, MGU, QIO, MGI, MUB, XET, MMW, MGS, MXE, KZY, NML, ODL, VMP, KZW, IEH, LZH, IDY, SOY, LZK, LZM, LZT, LZI, ODZ, RIC, MSJ, MUL

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
						1604.19.22.00, 1604.19.32.00, 1604.19.41.00, 1604.19.51.00, 1604.19.61.00, 1604.19.82.00, 1604.20.10.00, 1604.20.15.00, 1604.20.20.00, 1604.20.25.00, 1604.20.30.00, 1604.20.40.00, 1604.20.50.10, 1604.20.50.90, 1604.20.60.10, 1604.20.60.90	
Taiwan	Taiwan	890	Seerfishes nei	Scomberomorus spp	DN, GIL, GN, TN, BB, BBF, BBI, SPO, SUR	0302.49.00.00, 0303.59.00.00, 0305.39.40.00, 0305.49.20.00, 0305.54.00.00, 0305.69.20.00, 0305.69.30.00, 1604.15.00.00, 0302.89.11.40, 0302.89.50.77, 0302.91.40.90, 0302.99.00.00, 0303.89.00.80, 0303.91.40.95, 0303.99.00.00, 0304.49.01.90, 0304.59.00.91, 0304.89.10.90, 0304.89.50.91, 0304.99.11.04,	BRS, KGM, COM, MOS, GUT, KOS, STS, SSM, PAP, ASM, NPH, KAK, QUM, CER, BBM, SIE, CHY, MAW, KGX, MAX, DWE, TUX

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
						0304.99.11.09, 0304.99.11.94, 0304.99.91.90, 0304.99.91.92, 0305.20.40.65, 0305.39.61.80, 0305.49.40.45, 0305.59.00.01, 0305.69.50.01, 0305.69.60.01, 0305.72.00.00, 0305.79.00.00, 0309.10.05.00, 0309.10.90.00, 0309.90.90.00, 1604.19.22.00, 1604.19.32.00, 1604.19.41.00, 1604.19.51.00, 1604.19.61.00, 1604.19.82.00, 1604.20.10.00, 1604.20.15.00, 1604.20.20.00, 1604.20.25.00, 1604.20.30.00, 1604.20.40.00, 1604.20.50.10, 1604.20.50.90, 1604.20.60.10, 1604.20.60.90	
Taiwan	Taiwan	890	Snappers nei	Lutjanus spp	DN, GIL, GN, TN, BB, BBF,	0302.89.50.58, 0303.89.00.67, 0302.89.11.40, 0302.89.50.77,	LDW, LJA, LJN, LJP, LJR, RES, HUS, QIT, LJB, LIU, SNR, LWN,

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
					BBJ, SPO, SUR	0302.91.40.90, 0302.99.00.00, 0303.89.00.80, 0303.91.40.95, 0303.99.00.00, 0304.49.01.90, 0304.59.00.91, 0304.89.10.90, 0304.89.50.91, 0304.99.11.04, 0304.99.11.09, 0304.99.11.94, 0304.99.91.90, 0304.99.91.92, 0305.20.40.65, 0305.39.61.80, 0305.49.40.45, 0305.59.00.01, 0305.69.50.01, 0305.69.60.01, 0305.72.00.00, 0305.79.00.00, 0309.10.05.00, 0309.10.90.00, 0309.90.90.00, 1604.19.22.00, 1604.19.32.00, 1604.19.41.00, 1604.19.51.00, 1604.19.61.00, 1604.19.82.00, 1604.20.10.00, 1604.20.15.00, 1604.20.20.00, 1604.20.25.00,	LJC, LY, LUD, LJE, LWE, QFM, LJT, LVN, LJF, LJV, LUG, LVG, LJO, LJI, GVI, LJS, QIB, LXI, LJJ, LJH, LWJ, LVK, LWL, QIU, LJL, LJM, MAL, LJK, QKU, LJW, LWP, SNC, LWQ, LUV, LUF, SNU, LZJ, LUB, QGM, SNL, LWT, NYF, LUJ, LTJ, SNA, SNX, CIX

Country of Origin	Country of Harvest	Fishery ID	Target Species	Scientific Name	Restricted Gear Type	Restricted HTS Codes	Species 3-Alpha Codes
						1604.20.30.00, 1604.20.40.00, 1604.20.50.10, 1604.20.50.90, 1604.20.60.10, 1604.20.60.90	

附件二、「水產品輸美資格證明書」申請書

申請日期						蓋章(公司或自然人印章)
申請人類別	<input type="checkbox"/> 1 沿近海漁船之漁業人 <input type="checkbox"/> 2 遠洋漁船之經營者 <input type="checkbox"/> 3 定置漁業權之漁業人 <input type="checkbox"/> 4 養殖漁業管理系統登錄有案之養殖業者 <input type="checkbox"/> 5 出口業者					
申請人名稱	(中文)					
通訊地址	(中文)					
聯絡人姓名		電話		電郵		
		傳真				
申請類型 (請勾選)	1. <input type="checkbox"/> 核發 2. <input type="checkbox"/> 註銷(僅申請註銷者，免填海洋漁獲物種或其產製品及養殖魚貨等資訊) 3. <input type="checkbox"/> 註銷並補發					
註銷應檢附文件						
1. 註銷原因說明文件。 2. 因故未使用或毀損之輸美資格證明書正本(遺失者，免附)。						
申請海洋漁獲物種或其產製品資訊(欄位不足，請自行增列)						
漁船/定置 漁場名稱	漁船統一編號 /定置漁業執 照編號	作業漁法/漁具	漁獲物名稱	處理型態	貨號 (HTS code)	申請重量 (公斤)
申請養殖魚貨資訊(欄位不足，請自行增列)						
陸上養殖漁業登記證證號/ 區劃漁業權證號/ 專用漁業權入漁權證號	養殖場業者	養殖魚種	處理型態	貨號 (HTS code)	申請重量 (公斤)	
※處理型態：living(活體)/fresh(生鮮)/refrigerated(冷藏)/frozen(冷凍)/ fish fillets(魚片)/fish meat(魚肉)/dried(乾製)/salted(鹽製)/smoked(煙燻)						

Certification of Admissibility

Nations subject to trade restrictions for fishery products pursuant to the High Seas Driftnet Fishing Moratorium Protection Act or the Marine Mammal Protection Act

For fish or fish products for which a certificate of admissibility is required, a shipment of fish or fish products in any form from a nation subject to an import restriction, offered for entry to the United States, is eligible for entry only when accompanied by this completed and certified form attached to the invoice and/or shipping documents. An authorized official or agent of the exporting nation must complete the information below:

U.S. Harmonized Tariff Schedule Number, Species Description, and Product Form	Weight (kg.)	Fishing Gear Used	Vessel Flag	Vessel Name(s) and Number(s)

As a duly authorized official/agent of the Government of _____, I do hereby certify, to the best of my knowledge and belief, that the fish/fish products in this shipment are of species of fish or fish products, or from fisheries, that are not subject to an import restriction of the United States under the authority of the High Seas Driftnet Fishing Moratorium Protection Act or the Marine Mammal Protection Act.

 Printed Name (Exporting Government Official/Agent)

 Signature Date

 Address

 Telephone

 E-mail

U.S. IMPORTER CERTIFICATION

As the Importer of Record/Agent, I do hereby certify, to the best of my knowledge and belief, that the information on this form accurately describes the fish/fish products contained in this shipment:

U.S. Customs Entry Number _____

 Printed Name (U.S. Importer of Record/Agent)

 Signature Date

 Address

 Telephone

 E-mail

Within 24 hours after the shipment is released from U.S. Customs, importers must certify and submit a copy of this form to NMFS through the Customs and Border Protection Automated Commercial Environment.

Submission of this form is mandatory for imports of seafood subject to trade restrictions in order to meet the requirements of 50 CFR 300, Subpart N or as required under 50 CFR 216, Subpart C. Data submitted based on this information collection will be accorded confidentiality pursuant to 50 CFR Part 600, Subpart E. Public reporting burden for this collection of information is estimated to be 10 minutes. This estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of reducing this burden, to the Office of International Affairs and Seafood Inspection, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

INSTRUCTIONS FOR COMPLETING THE CERTIFICATION OF ADMISSIBILITY FORM

FOR EXPORTERS:

1. DESCRIPTION OF FISH AND FISH PRODUCTS EXPORTED INTO UNITED STATES (SEE TABLE) – 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:
 - 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 exporting nation 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 exporting country 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 & 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 & 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 & Border Protection via the Document Image System of the Automated Commercial Environment.

FREQUENTLY ASKED QUESTIONS:

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 or the Marine Mammal 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 Office of International Affairs and Seafood Inspection webpage (see the following link: <https://www.fisheries.noaa.gov/foreign/international-affairs/identification-iuu-fishing-activities>).

If a nation or export fishery fails to receive a comparability finding under the Marine Mammal Protection Act, and fish or fish products from that nation or export fishery become prohibited from importation into the United States, a notification will be sent to the nation and published in the Federal Register and posted on the NMFS Office of International Affairs and Seafood Inspection webpage (see the following link: <https://www.fisheries.noaa.gov/foreign/international-affairs/list-foreign-fisheries>).

Question: *Where do I find out whether a nation has been identified as having vessels engaged in IUU fishing? Bycatch of protected living marine resources? Targeting or incidentally catching sharks beyond any national jurisdiction? Failed to receive a comparability finding under the MMPA?*

Answer: A list of nations that are identified under the Moratorium Protection Act for having vessels engaged in IUU fishing, bycatch of protected living marine resources, and/or catching sharks on the high seas will be published in a biennial report to Congress. The report can be found on the NMFS Office of International Affairs and Seafood Inspection webpage (see the following link: <https://www.fisheries.noaa.gov/foreign/international-affairs/identification-iuu-fishing-activities>).

A list of nations and export fisheries that failed to receive a comparability finding will be published in the Federal Register and will be available on the NMFS Office of International Affairs and Seafood Inspection webpage (see the following link: <https://www.fisheries.noaa.gov/foreign/international-affairs/list-foreign-fisheries>).

Question: *Where do I find out if fishing practices are comparable to those of the United States?*

Answer: U.S. regulations for federally managed fisheries are published in the Code of Federal Regulations. These regulations are available online (see the following link: <http://www.ecfr.gov>). If an identified nation that receives a negative certification decision from the Secretary of Commerce becomes subject to import restrictions and seeks to export fish or fish products to the United States, information will be provided on the comparable fishing practices that will be required for entry of fish and fish products into the United States.

Question: *How is the Certification of Admissibility submitted to U.S. Customs and Border Protection?*

Answer: For trade restrictions imposed under the authority of the Moratorium Protection Act or the Marine Mammal Protection Act, NMFS will work with U.S. Customs and Border protection to identify the Harmonized Tariff Schedule (HTS) codes that will require certification of admissibility when fish are exported from the nation subject to the restriction. Imports entered under the identified HTS codes will require submission of the form, as certified by the government official of the exporting nation, at the time of entry filing. The form is submitted to U.S. Customs & 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. Return the form to the broker to submit the final completed document to U.S. Customs & Border Protection via the Document Image System of the Automated Commercial Environment as a supplement to the original entry.

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.