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Office of
International Affairs
Trade and
Commerce

U.S. Marine Mammal Protection Act Import Provisions and Certification of Admissibility Requirements

December 2025

Overview

- MMPA import restrictions and Certification of Admissibility (COA) overview
- FAQs:
 - Import restrictions implementation
 - COA procedures
 - Intermediary nations
 - Exporting nations (third-party nations)
 - Supply chain examples



Background



- Marine Mammal Protection Act (MMPA) provisions to prohibit fish imports from nations with **unsustainable** marine mammal bycatch.
- The Secretary of Treasury shall ban the importation of commercial fish or fish products from fish which have been caught with commercial fishing technology which results in the incidental kill or serious injury of ocean mammals in excess of U.S. standards.



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Import Restrictions under the MMPA

Currently, there are import restrictions for certain fisheries in the range of the Vaquita in the Upper Gulf of California, Mexico.

On January 1, 2026, import restrictions will begin for 240 fisheries across 46 nations.



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Certification of Admissibility (COA)

OMB Control No.: 0948-0051
Expiration Date: 06/30/2025

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)
0303.59.0000.Sarda Chilensis, Whole Frozen Bonito	2041	DN	Mexico	
0303.59.0000.Sarda Chilensis, Whole Frozen Bonito	6232	DN	Mexico	
0303.59.0000.Sarda Chilensis, Whole Frozen Bonito	9343	DN	Mexico	

As a duly authorized official/agent of the Government of Mexico, 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) [Redacted] Signature [Redacted] Date 14/06/2024
Address Av. Camaron Sabalo 1210 Telephone [Redacted]
Fracc. Sabalo Country Club, Mecatlan, Veracruz S.P. 92100 E-mail [Redacted]@comapce.gob.mx

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 [Redacted]
Printed Name (U.S. Importer of Record/Agent) [Redacted] Signature [Redacted] Date 14/06/2024
Address [Redacted] Telephone [Redacted]
CALIFORNIA, ESTADOS UNIDOS 90731 E-mail [Redacted]

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 690, 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.

The COA is used to identify products that are admissible to the United States when import restrictions have been imposed on a relevant country.

COA Form:

<https://www.fisheries.noaa.gov/s3/2025-07/AdmissibilityFormOMBApprovedTo31July2028.pdf>

COA instructions:

[https://www.fisheries.noaa.gov/s3/2025-12/instructions for certification of admissibility form November2025 508compliant.pdf](https://www.fisheries.noaa.gov/s3/2025-12/instructions%20for%20certification%20of%20admissibility%20form%20November2025%20508compliant.pdf)



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Certification of Admissibility (COA)

NOAA Fisheries works with U.S. Customs and Border Protection (CBP) to identify the U.S. Harmonized Tariff Schedule (HTS) codes that will require a COA when products are imported from the nation subject to the restriction.

HTS Codes Requiring a Certification of Admissibility from Mexico

Harmonized Tariff Schedule 2024 Codes	Product Description
0302.41.0000	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading 0304: Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), anchovies (<i>Engraulis</i> spp.), sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>), mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>), Indian mackerels (<i>Rastrelliger</i> spp.), seerfishes (<i>Scomberomorus</i> spp.), jack and horse mackerel (<i>Trachurus</i> spp.), jacks, crevalles (<i>Caranx</i> spp.), cobia (<i>Rachycentron canadum</i>), silver pomfrets (<i>Pampus</i> spp.), Pacific saury (<i>Cololabis saira</i>), scads (<i>Decapterus</i> spp.), capelin (<i>Mallotus villosus</i>), swordfish (<i>Xiphias gladius</i>), Kawakawa (<i>Euthynnus affinis</i>), bonitos (<i>Sarda</i> spp.), marlins, sailfishes, spearfish (<i>Istiophoridae</i>), excluding edible fish offal of subheadings 0302.91 to 0302.99: Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)



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Certification of Admissibility (COA)

Imports entering under the identified HTS codes will require the submission of a COA.

The COA must either be uploaded to Document Image System (DIS, using code NM23), or submitted directly to the CBP port of entry.

OMB Control No. 0648-0051
Expiration Date: 06/30/2025

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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)
0303.59.0000.Sarda Chilensis, Whole Frozen Bonito	2041	DN	Mexico	
0303.59.0000.Sarda Chilensis, Whole Frozen Bonito	6232	DN	Mexico	
0303.59.0000.Sarda Chilensis, Whole Frozen Bonito	9343	DN	Mexico	

As a duly authorized official/agent of the Government of Mexico, 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.

Dr. Bernardino Jesus Muñoz Resendez
Printed Name (Exporting Government Official/Agent)
Address: Av. Camaron Sabalo 1210
Paseo, Balcon Country Club, Weather Street C.P. 82100

Signature: _____
Date: _____
Telephone: 669-915-6900 Ext. 58401
E-mail: bernardino.munoz@compece.gub.mx

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): _____
Address: _____
CALIFORNIA, ESTADOS UNIDOS 90731

Signature: _____
Date: _____
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 200, Subpart N or as required under 50 CFR 216, Subpart C. Data submitted based on the 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.



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FAQs:
MMPA Import Provisions implementation
and
U.S. procedures at the port of entry



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How will import requirements work at the port?

U.S. imports will be flagged by the:

U.S. Harmonized Tariff Schedule (HTS) code

+

Country of Origin (COO)

The combination of HTS code and COO will trigger the COA requirement in order for the import to enter.

NOAA Fisheries resources available online:

<https://www.fisheries.noaa.gov/resource/outreach-materials/harmonized-tariff-codes-and-other-resources-marine-mammal-protection>



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How do I determine whether my product is subject to an import restriction under the MMPA?

Please reference the resources available on the NOAA Fisheries website related to specific fisheries, species, fishing area, fishing gear, harvest nation, and Country of Origin.

<https://www.fisheries.noaa.gov/resource/outreach-materials/harmonized-tariff-codes-and-other-resources-marine-mammal-protection>



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How do I select a U.S. HTS code?

U.S. Customs and Border Protection (CBP) is the authority for HTS code designation.

Under the Tariff Act of 1930, importers must use “reasonable care” in filing entries under the most accurate Harmonized Tariff Schedule code that reflects the product (19 U.S.C. § 1484(a)).

Please contact CBP for questions regarding selection of HTS codes, including the criteria for establishing exercise of reasonable care.



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Will Customs incorporate the COA requirements into the Automated Broker Interface (ABI)?

There is no ABI component.

CBP will reject entries missing the COA upon import.



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Is a post-clearance inspection required? Do brokers have to upload the COA form a second time?

NOAA Fisheries is looking for the completed COA, which includes the government attestation and the certification from the U.S. importer signature (in Customs Document Image System, DIS).

For the U.S. importer certification, NOAA Fisheries seeks U.S. importers to certify to the best of their ability that the information on the COA form is correct.



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What happens if my import was harvested before January 1, 2026?

Import requirements begin on January 1, 2026.

Flagged imports will require a COA to clear before permitted into U.S. commerce.

Industry should work with their harvest/export nations to receive a COA in advance of arrival of U.S. entry.

See NOAA Fisheries resources online:

<https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/seafood-import-prohibitions-under-marine-mammal-protection-act>



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How do you complete the COA form?

Government officials are expected to complete the COA form to clearly identify the harvest information of the export and attest that the shipment is not subject to an import restriction under the MMPA.

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



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What if the species name or gear codes are different?

NOAA Fisheries provided common codes and reference information to help identify fisheries subject to import restrictions under the MMPA, but their use is not required on the COA form.

See NOAA Fisheries resources online:

<https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/seafood-import-prohibitions-under-marine-mammal-protection-act>



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Who signs the COA?

There are two signatures required on the COA:

1. The **government official** of the harvesting nation to attest that product is admissible under the MMPA*
2. The **U.S. importer** to attest the shipment is accurately described, which can be the Importer of Record, ultimate consignee, or Customs House Broker with power of attorney.

*For the purposes of the COA, the Country of Origin (COO) is often synonymous with the harvesting nation. In some cases, the exporting nations may provide the COA, consistent with NOAA Fisheries' COA instructions.



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Is the COA required on top of other reporting requirements?

Yes, the COA form is an attestation that speaks to the admissibility of the product.

Depending on the species, additional forms may be required upon import under the NOAA Fisheries Tuna Tracking and Verification Program, Highly Migratory Species Program, and the Department of State Section 609 Program.

See NOAA Fisheries Seafood Import and Export Tool:
<https://www.fisheries.noaa.gov/seafood-import-export-tool>



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Is there any documentation that can be submitted in lieu of the COA?

The COA is required at the point of U.S. entry as it is a government attestation that the shipment is not subject to import restrictions under the MMPA.

Records (such as Bill of Lading, Catch Certificates, NOAA Form 370, or DS-2031) cannot be substituted for the government attestation of the exporting nation.



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What if the harvest details will not fit on the COA? Can we include an attachment?

Yes, please include the signed COA form and supplemental information upon import.



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What are the procedures for intermediary nations?

NOAA Fisheries will **identify** intermediary nations that may import, process, and re-export to the United States products from a fishery subject to an import restriction **and notify** such nations of the products that may be subject to an import restriction.

An intermediary nation must **provide** documentary evidence that it:

- (1) Does not export products subject to an import restriction to the United States; or
- (2) Has procedures to reliably certify that exports from the intermediary nation to the United States do not contain fish or fish products harvested from a fishery subject to an import restriction.



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What is an intermediary nation?

Intermediary nations are those that process or tranship seafood product before exported to the United States.

Under the MMPA Import Provisions, no fish or fish products caught or harvested in a fishery subject to an import prohibition may be imported into the United States from any intermediary nation (50 CFR 216.24(h)(9)(iv)(A-H)).



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FAQs: Exporting nations (third-party nations)



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Third party processing and exporting nations -- who provides the COA?

- COA instructions have information for cases when the COO is synonymous with the harvesting nation. Consistent with the instructions, exporting nations can provide the COA.
- Additional requirements may be implemented once NOAA Fisheries implements additional procedures for intermediary nations.



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FAQs: Supply chain examples



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Are COAs required for imports from nations that received comparability findings for all fisheries?

Imports directly from nations that received comparability findings for all fisheries will not require a COA.

Japan —> U.S.

No COA is required.

Thailand —> U.S.

No COA is required.

Canada —> U.S.

No COA is required.



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Are COAs required for third-party nations processing and exporting to the United States?

Depending on the species or product, a COA may be required if the product, such as dolphinfish in this supply chain scenario, is processed in a third-party nation with import restrictions.

Japan —> **Vietnam** —> **U.S.**



If the product has undergone substantial transformation by the processing nation, changing the COO, for the purposes of the COA, the exporting nation becomes the COO and provides the COA consistent with NOAA Fisheries' COA instructions.



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More examples

Canada → **Indonesia** → U.S.



No import restrictions for snow crab

No import restrictions for snow crab**
No COA required

**Confirm HTS code for processed products

Maldives → **Vietnam** → U.S.



No import restrictions for tuna

Import restrictions for various tunas
COA is required*

*NOAA Fisheries will accept COAs signed by the harvesting or exporting nation, consistent with the COA form and instructions.



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Who signs the COA when the product is harvested and processed by nations with import restrictions?



China —> **Vietnam** —> **U.S.**

Depending on the processing or transshipment, NOAA Fisheries will accept COAs from either China or Vietnam, consistent with COA form and instructions.

Malaysia → **Republic of Korea** → **U.S.**

No import restrictions for squid

Import restrictions for squid. COA required
NOAA Fisheries will accept COAs from either Malaysia or Korea, consistent with COA form and instructions.



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Are COAs required from nations that are fully restricted?



Japan —> **Grenada** —> **U.S.**

Skipjack is restricted from Grenada. COA is required.

New Caledonia → **U.S.**

COA is required.

All fisheries are restricted, save for its fisheries that do not apply to the MMPA Import Provisions.



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What about swimming crab fisheries from Indonesia, the Philippines, Sri Lanka, and Vietnam?

On October 31, 2025, the United States Court of International Trade ordered that the January 1, 2026, effective date of the import ban for the swimming crab fisheries in Vietnam, Philippines, Indonesia, and Sri Lanka is stayed pending NOAA Fisheries' reconsideration of the comparability findings determinations for these fisheries that target swimming crabs. As a result of this stay, crab and crab products associated with the following Fishery IDs may be imported to the United States:

Indonesia Fishery ID 12391

Vietnam Fishery ID 2988

Philippine Fishery IDs 2129 and 2130

Sri Lanka Fishery ID 2705

Please note: The import ban remains in place for all other fisheries that were denied a comparability finding, with the exception of the five fisheries noted directly above.



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Resources & Contact Information

COA support line: trademonitoring.support@noaa.gov

MMPA implementation contact: MMPA.LOFF@noaa.gov

Email for compliance and technical questions

MMPA Import Provisions Website:

<https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/international-marine-mammal-bycatch-criteria-us-imports>

List of Comparability Findings + Reports:

<https://www.fisheries.noaa.gov/international-affairs/2025-marine-mammal-protection-act-comparability-finding-determinations>

Harmonized Tariff Codes for Implementation of MMPA Import Provisions:

<https://www.fisheries.noaa.gov/resource/outreach-materials/harmonized-tariff-codes-marine-mammal-protection-act-import>

