



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

JUL 12 2019

Nicolás del Castillo Piedrahita  
Director General  
Autoridad Nacional de Acuicultura y Pesca - AUNAP  
Calle 40A N° 13-09 Pisos 6, 14 y 15 Edificio UGI  
Bogota, D.C, Colombia

Dear Nicolás del Castillo Piedrahita:

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) has reviewed the documentation for a 5-year affirmative finding submitted by the Government of Colombia, along with related information obtained from the Inter-American Tropical Tuna Commission (IATTC). I am pleased to inform you that, after reviewing relevant documentation, I have determined that the requirements under the U.S. Marine Mammal Protection Act (MMPA) for issuance of an affirmative finding for Colombia have been met. This affirmative finding will be valid for the 5-year period of April 1, 2019, through March 31, 2024.

As you are aware, an affirmative finding allows the importation into the United States of yellowfin tuna and yellowfin tuna products harvested by purse seine vessels operating under Colombian jurisdiction in the eastern tropical Pacific Ocean (ETP) or exported from Colombia. Issuance of an affirmative finding for Colombia does not affect implementation of an intermediary nation embargo under 50 CFR 216.24(f)(9), which could apply to exports from Colombia.

In an effort to reduce the paperwork burden on foreign nations, NMFS regulations (50 CFR 216.24(f)(8)) require formal applications for affirmative findings to be submitted every five years, rather than annually. This is possible because NMFS can obtain much of the information necessary for making an affirmative finding from the IATTC and the U.S. Department of State. On an annual basis, NMFS will monitor whether this affirmative finding meets the requirements of the MMPA and the implementing regulations (50 CFR 216.24(f)(8)). If necessary, NMFS may also request documentary evidence from the Government of Colombia to determine whether the affirmative finding criteria continue to be met. These NMFS regulations can be found at:

- [http://www.ecfr.gov/cgi-bin/text-idx?SID=f0bd2f42d541560ce7bcbf5ea609724f&mc=true&node=se50.10.216\\_124&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=f0bd2f42d541560ce7bcbf5ea609724f&mc=true&node=se50.10.216_124&rgn=div8).

As a condition of importation, submission of a completed NOAA Form 370 "Fisheries Certificate of Origin" is required for all tuna products except "fresh" tuna entered under Section 0302 or 0304 of the U.S. International Trade Commission's Harmonized Tariff Schedule. NMFS information required to determine whether a shipment of yellowfin tuna or yellowfin tuna products should be allowed entry into the United States is available at:



- <https://www.fisheries.noaa.gov/national/marine-mammal-protection/noaa-form-370-fisheries-certificate-origin>
- <https://www.fisheries.noaa.gov/national/marine-mammal-protection/tuna-dolphin-embargo-status-update>.

Thank you for your continued commitment to conserve marine mammals and tuna resources in the ETP. Should you or your staff have questions regarding the importation of yellowfin tuna and yellowfin tuna products into the United States, please contact Justin Greenman, NMFS, West Coast Region, at (562) 980-3264 or [justin.greenman@noaa.gov](mailto:justin.greenman@noaa.gov).

Sincerely,

A handwritten signature in black ink that reads "Chris Oliver". The signature is written in a cursive, flowing style.

Chris Oliver  
Assistant Administrator  
for Fisheries