

COUNCIL ACTIONS ON SPINY LOBSTER IMPORT AMENDMENT

Caribbean Fishery Management Council

The CFMC met on August 12-13, 2008 in St. Croix, USVI and approved the following motions:

1. Minimum Size Limit for Imports: Motion to adopt Action 1, Alternative 2. (Preferred alternative).
2. Other Import Restrictions: Motion to accept Action 2, Alternative 2 (as preferred alternative)
3. Proposed Regulations: Move to deem these regulations as necessary and appropriate for purposes of implementing this fishery management plan amendment pursuant to section 303 c of the Magnuson Stevens Act.
4. Motion that the Council submits the Spiny Lobster Amendment 4, the associated EIS and the regulations to the Secretary of Commerce for review.

All motions were approved by 5 votes (2 absentees).

Gulf of Mexico Fishery Management Council

The GMFMC met August 11-14, 2008 in Key Largo, Florida and approved the following motions:

Motion #1: Action 1, Alternative 2 be the preferred alternative: No person in the U.S. would be allowed to import a spiny lobster (*Panulirus argus*), as follows:

1. Any spiny lobster of less than 5 ounces tail weight (5 ounces is defined as a tail that weighs 4.2 – 5.4 ounces). If the imported product does not meet this minimum weight requirement, the person importing the lobster can demonstrate compliance by showing that the product imported satisfies the tail length requirement, or that it was harvested from an animal that satisfied the minimum carapace length requirement of:

- a. Greater than 3.0 inches (7.62 cm) carapace length if the animal is whole.
- b. Greater than or equal to 5.5 inches (13.97 cm) tail length if only the tail is present.

2. In Puerto Rico and the U.S. Virgin Islands: Any spiny lobster of less than 6.0 ounces tail weight (6 ounces is defined as a tail that weighs 5.9 – 6.4 ounces). If the imported product does not meet this minimum weight requirement, the person importing the lobster can demonstrate compliance by showing that the product imported satisfies the tail length requirement, or that it was harvested from an animal that satisfied the minimum carapace length requirement of:

- a. Greater than or equal to 3.5 inches (8.89 cm) carapace length if the animal is whole.
- b. Greater than or equal to 6.2 inches (15.75 cm) tail length if only the tail is present.

Motion carried with no objection.

Motion #2: Action 2, Alternative 2 be the preferred alternative: Alternative 2 – Do not allow the importation of spiny lobster tail meat which is not in whole tail form with the exoskeleton attached; and do not allow the importation of spiny lobster with eggs attached or importation of spiny lobster where the eggs, swimmerets, or pleopods have been removed or stripped.

Motion carried with no objection.

Motion #3: To recommend that the Council send Spiny Lobster Amendment 8 to the Secretary of Commerce for implementation.

Motion carried by roll call vote.

Motion #4: The accompanying regulations be forwarded to the NMFS as being deemed necessary and appropriate.

Motion carried.