

§ 622.40

50 CFR Ch. VI (10–1–13 Edition)

§ 622.40 Restrictions on sale/purchase.

The restrictions in this section are in addition to the restrictions on sale/purchase related to quota closures as specified in § 622.39(b) and (c).

(a) A Gulf reef fish harvested in the EEZ on board a vessel that does not have a valid commercial permit for Gulf reef fish, as required under § 622.20(a)(1), or a Gulf reef fish possessed under the bag limits specified in § 622.38(b), may not be sold or purchased.

(b) A Gulf reef fish harvested on board a vessel that has a valid commercial permit for Gulf reef fish may be sold only to a dealer who has a valid permit for Gulf reef fish, as required under § 622.20(c).

(c) A Gulf reef fish harvested in the EEZ may be purchased by a dealer who has a valid permit for Gulf reef fish, as required under § 622.20(c), only from a vessel that has a valid commercial permit for Gulf reef fish.

§ 622.41 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).

(a) *Greater amberjack*—(1) *Commercial sector.* (i) If commercial landings, as estimated by the SRD, reach or are projected to reach the annual catch target (ACT) specified in § 622.39(a)(1)(v)(commercial quota), the Assistant Administrator for Fisheries, NOAA, (AA) will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year.

(ii) In addition to the measures specified in paragraph (a)(1)(i) of this section, if commercial landings, as estimated by the SRD, exceed the commercial ACL, as specified in (a)(1)(iii) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the commercial ACT (commercial quota) and the commercial ACL for that following year by the amount of any commercial ACL overage in the prior fishing year.

(iii) The commercial ACL for greater amberjack is 481,000 lb (218,178 kg), round weight.

(2) *Recreational sector.* (i) If recreational landings, as estimated by the

SRD, reach or are projected to reach the ACT specified in § 622.39(a)(2)(ii) (recreational quota), the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year.

(ii) In addition to the measures specified in paragraph (a)(2)(i) of this section, if recreational landings, as estimated by the SRD, exceed the recreational ACL, as specified in paragraph (a)(2)(iii) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the recreational ACT (recreational quota) and the recreational ACL for that following year by the amount of any recreational overage in the prior fishing year.

(iii) The recreational ACL for greater amberjack is 1,299,000 lb (589,216 kg), round weight.

(b) *Gray triggerfish*—(1) *Commercial sector.* If commercial landings, as estimated by the SRD, reach or are projected to reach the commercial ACT (commercial quota) specified in § 622.39(a)(1)(vi), the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. In addition, if despite such closure, commercial landings exceed the commercial ACL, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the commercial ACL and ACT (commercial quota) for that following year by the amount the prior-year ACL was exceeded. The commercial ACL is 64,100 lb (29,075 kg), round weight.

(2) *Recreational sector.* (i) Without regard to overfished status, if gray triggerfish recreational landings, as estimated by the SRD, reach or are projected to reach the applicable ACT specified in paragraph (b)(2)(iii) of this section, the AA will file a notification with the Office of the Federal Register, to close the recreational sector for the remainder of the fishing year. On and after the effective date of such a notification, the bag and possession limit of gray triggerfish in or from the Gulf EEZ is zero. This bag and possession limit applies in the Gulf on board a