

§ 622.192

are round or eviscerated weights unless specified otherwise):

(a) When a vessel fishes on a trip in the South Atlantic EEZ, the vessel trip limits specified in this paragraph (a) apply, provided persons aboard the vessel are not subject to the bag limits. See § 622.11 and § 622.187(a) for applicability of the bag limits.

(1) *Trip-limited permits.* A vessel for which a trip-limited permit for South Atlantic snapper-grouper has been issued is limited to 225 lb (102.1 kg) of snapper-grouper.

(2) *Golden tilefish*—(i) *South Atlantic snapper-grouper unlimited permit holders, with a longline endorsement, using longline gear.* Until the quota specified in § 622.190(a)(2)(iii) is reached, 4,000 lb (1,814 kg), gutted weight; 4,480 lb (2,032 kg), round weight.

(ii) *South Atlantic snapper-grouper unlimited permit holders, without a longline endorsement, using hook-and-line gear.* Until the quota specified in § 622.190(a)(2)(ii) is reached, the trip limit for golden tilefish is 500 lb (227 kg), gutted weight; 560 lb (254 kg), round weight. Vessels with golden tilefish longline endorsements are not eligible to fish for golden tilefish using hook-and-line gear under this 500-lb (227-kg) trip limit.

(iii) See § 622.190(c)(1) for the limitations regarding golden tilefish after the applicable commercial quota is reached.

(3) *Snowy grouper.* Until the quota specified in § 622.190(a)(1) is reached—100 lb (45 kg). See § 622.190(c)(1) for the limitations regarding snowy grouper after the fishing year quota is reached.

(4) *Red porgy.* (i) From May 1 through December 31—120 fish.

(ii) From January 1 through April 30, the seasonal harvest limit specified in § 622.184(c) applies.

(iii) See § 622.190(c)(1) for the limitations regarding red porgy after the fishing year quota is reached.

(5) *Greater amberjack.* Until the quota specified in § 622.190(a)(3) is reached, 1,200 lb (544 kg). See § 622.190(c)(1) for the limitations regarding greater amberjack after the quota is reached.

(6) *Vermilion snapper.* (i) Until 75 percent of either quota specified in § 622.190(a)(4)(i) or (ii) is reached or projected to be reached, 1,000 lb (454 kg),

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gutted weight; 1,110 lb (503 kg), round weight.

(ii) After 75 percent of either quota specified in § 622.190(a)(4)(i) or (ii) is reached or projected to be reached, 500 lb (227 kg), gutted weight; 555 lb (252 kg), round weight. When the conditions in this paragraph (a)(6)(ii) have been reached, the Assistant Administrator will implement this trip limit change by filing a notification with the Office of the Federal Register.

(iii) See § 622.190(c)(1) for the limitations regarding vermilion snapper after either quota specified in § 622.190(a)(4)(i) or (ii) is reached or projected to be reached.

(7) *Gag.* Until the quota specified in § 622.190(a)(7) is reached, 1,000 lb (454 kg). See § 622.190(c)(1) for the limitations regarding gag after the quota is reached.

(8) *Black sea bass.* Until the applicable quota specified in § 622.190(a)(5) is reached, 1,000 lb (454 kg), gutted weight; 1,180 lb (535 kg), round weight. See § 622.190(c)(1) for the limitations regarding black sea bass after the applicable quota is reached.

(9) *Red snapper.* During a limited commercial fishing season, as specified in § 622.183(b)(5), and until the commercial ACL specified in § 622.193(y)(1) is reached, 75 lb (34 kg), gutted weight. See § 622.193(y)(1) for the limitations regarding red snapper after the commercial ACL is reached.

(b) [Reserved]

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 23863 Apr. 23, 2013; 78 FR 44465, July 24, 2013; 78 FR 47579, Aug. 6, 2013]

§ 622.192 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 § 622.190(c).

(a) A South Atlantic snapper-grouper harvested or possessed in the EEZ on board a vessel that does not have a valid commercial permit for South Atlantic snapper-grouper, as required under § 622.170(a), or a South Atlantic snapper-grouper harvested in the EEZ and possessed under the bag limits specified in § 622.187(b), may not be sold or purchased. In addition, a South Atlantic snapper-grouper harvested or

possessed by a vessel that is operating as a charter vessel or headboat with a Federal charter vessel/headboat permit for South Atlantic snapper-grouper may not be sold or purchased regardless of where harvested, *i.e.*, in state or Federal waters.

(b) South Atlantic snapper-grouper harvested in or from the EEZ or adjoining state waters by a vessel that has a valid commercial vessel permit for South Atlantic snapper-grouper may be sold or transferred only to a dealer who has a valid Gulf and South Atlantic dealer permit, as required under §622.170(c)(1).

(c) South Atlantic snapper-grouper harvested in or from the EEZ may be first received by a dealer who has a valid Gulf and South Atlantic dealer permit, as required under §622.170(a), only from a vessel that has a valid commercial permit for South Atlantic snapper-grouper.

(d) A warsaw grouper or speckled hind in or from the South Atlantic EEZ may not be sold or purchased.

(e) No person may sell or purchase a snowy grouper, gag, golden tilefish, greater amberjack, vermilion snapper, black sea bass, or red pogy harvested from or possessed in the South Atlantic, *i.e.*, in state or Federal waters, by a vessel for which a valid Federal commercial permit for South Atlantic snapper-grouper has been issued for the remainder of the fishing year after the applicable commercial quota for that species specified in §622.190(a) has been reached. The prohibition on sale/purchase during these periods does not apply to such of the applicable species that were harvested, landed ashore, and sold prior to the applicable commercial quota being reached and were held in cold storage by a dealer or processor.

(f) During January, February, March, and April, no person may sell or purchase a red pogy harvested from the South Atlantic EEZ or, if harvested by a vessel for which a valid Federal commercial permit for South Atlantic snapper-grouper has been issued, harvested from the South Atlantic, *i.e.*, in state or Federal waters. The prohibition on sale/purchase during January through April does not apply to red pogy that were harvested, landed

ashore, and sold prior to January 1 and were held in cold storage by a dealer or processor. This prohibition also does not apply to a dealer's purchase or sale of red pogy harvested from an area other than the South Atlantic, provided such fish is accompanied by documentation of harvest outside the South Atlantic. The requirements for such documentation are specified in paragraph (i) of this section.

(g) During April, no person may sell or purchase a greater amberjack harvested from the South Atlantic EEZ or, if harvested by a vessel for which a valid Federal commercial permit for South Atlantic snapper-grouper has been issued, harvested from the South Atlantic, *i.e.*, in state or Federal waters. The prohibition on sale/purchase during April does not apply to greater amberjack that were harvested, landed ashore, and sold prior to April 1 and were held in cold storage by a dealer or processor. This prohibition also does not apply to a dealer's purchase or sale of greater amberjack harvested from an area other than the South Atlantic, provided such fish is accompanied by documentation of harvest outside the South Atlantic. The requirements for such documentation are specified in paragraph (i) of this section.

(h) During January through April, no person may sell or purchase a gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, or coney harvested from or possessed in the South Atlantic EEZ or, if harvested or possessed by a vessel for which a valid Federal commercial permit for South Atlantic snapper-grouper has been issued, harvested from the South Atlantic, *i.e.*, in state or Federal waters. The prohibition on sale/purchase during January through April does not apply to such species that were harvested, landed ashore, and sold prior to January 1 and were held in cold storage by a dealer or processor. This prohibition also does not apply to a dealer's purchase or sale of such species harvested from an area other than the South Atlantic, provided such fish is accompanied by documentation of harvest outside the South Atlantic. The requirements for such documentation

are specified in paragraph (i) of this section.

(i) The documentation supporting a dealer's purchase or sale of applicable species during the times specified in paragraphs (f) through (h) of this section must contain:

(1) The information specified in part 300, subpart K, of this title for marking containers or packages of fish or wildlife that are imported, exported, or transported in interstate commerce;

(2) The official number, name, and home port of the vessel harvesting the applicable species;

(3) The port and date of offloading from the vessel harvesting the applicable species; and

(4) A statement signed by the dealer attesting that the applicable species was harvested from an area other than the South Atlantic.

(j) No person may sell or purchase a red snapper harvested from or possessed in the South Atlantic, *i.e.*, state or Federal waters, by a vessel for which a Federal commercial vessel permit for South Atlantic snapper-grouper has been issued, except if NMFS determines a limited commercial fishing season for red snapper is allowable, as specified in § 622.183(b)(5).

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 44465, July 24, 2013; 79 FR 19495, Apr. 9, 2014]

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

(a) *Golden tilefish*—(1) *Commercial sector*—(i) *Hook-and-line component*. If commercial landings, as estimated by the SRD, reach or are projected to reach the commercial ACL (commercial quota) specified in § 622.190(a)(2)(ii), the AA will file a notification with the Office of the Federal Register to close the hook-and-line component of the commercial sector for the remainder of the fishing year.

(ii) *Longline component*. If commercial landings, as estimated by the SRD, reach or are projected to reach the commercial ACL (commercial quota) specified in § 622.190(a)(2)(iii), the AA will file a notification with the Office of the Federal Register to close the longline component of the commercial sector for the remainder of the fishing

year. After the commercial ACL for the longline component is reached or projected to be reached, golden tilefish may not be fished for or possessed by a vessel with a golden tilefish longline endorsement.

(2) *Recreational sector*. If recreational landings for golden tilefish, as estimated by the SRD, reach or are projected to reach the recreational ACL of 3,019 fish, 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. If recreational landings for golden tilefish, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings and, if necessary, the AA will file a notification with the Office of the Federal Register, to reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational ACL in the following fishing year.

(b) *Snowy grouper*—(1) *Commercial sector*. If commercial landings, as estimated by the SRD, reach or are projected to reach the quota specified in § 622.190(a)(1), the AA will file a notification with the Office of the Federal Register to close the commercial sector for snowy grouper for the remainder of the fishing year.

(2) *Recreational sector*. If recreational landings, as estimated by the SRD, exceed the recreational ACL of 523 fish, 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 length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational ACL in the following fishing year. When NMFS reduces the length of the following recreational fishing season, the following closure provisions apply: the bag and possession limit for snowy grouper in or from the South Atlantic EEZ is zero. This bag and possession limit also applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has