



NOAA

FISHERIES

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Compliance Guide

Fish Aggregating Device (FAD) design and material, reporting, and recovery requirements in the eastern Pacific Ocean for 2025 and Beyond

Updated **January 2025**

The National Marine Fisheries Service (NMFS) issued regulations under the authority of the Tuna Conventions Act of 1950, as amended, to implement Resolutions C-23-03 and C-23-04 adopted by the Inter-American Tropical Tuna Commission (IATTC) in August 2023.¹ The final regulations to implement C-23-03 and C-23-04 on FAD design requirements for non-entangling and biodegradable FADs deployed or redeployed in the IATTC Convention Area were published in the *Federal Register* on December 6, 2024, [89 FR 96906](#), and are effective January 6, 2025. The rule also implements a reporting requirement for information associated with recovered FADs, unless that information is already reported by an observer.

This compliance guide provides a summary of how owners and operators of affected entities can comply with these regulations.² These regulations are necessary for the United States to satisfy its obligations as a member of the IATTC.

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¹ IATTC Resolutions are online at: <https://www.iattc.org/en/US/Resolution>. This compliance guide is issued in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996: Title II of Public Law 104-21.

² Regulations are subject to change, so this guide may become out of date. Any discrepancy between the contents of this guide and regulations will be resolved in favor of regulations published in the *Federal Register* and codified in the *Code of Federal Regulations*.

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Area of Application

Q1. Who does this compliance guide apply to?

This compliance guide applies to owners and operators of U.S. purse seine vessels of class sizes 4-6 (carrying capacity of 182 metric tons or greater) that catch tropical tuna in the IATTC Convention Area, including the Area of Overlap between the convention areas of the Western and Central Pacific Fisheries Commission (WCPFC) and the IATTC (**Figure 1**). Therefore, these regulations apply in all waters of the Pacific Ocean within the area bounded by the west coast of the Americas and by 50° N latitude from the coast of North America to its intersection with 150° W longitude, then 150° W longitude to its intersection with 50° S latitude, and then 50° S latitude to its intersection with the coast of South America.

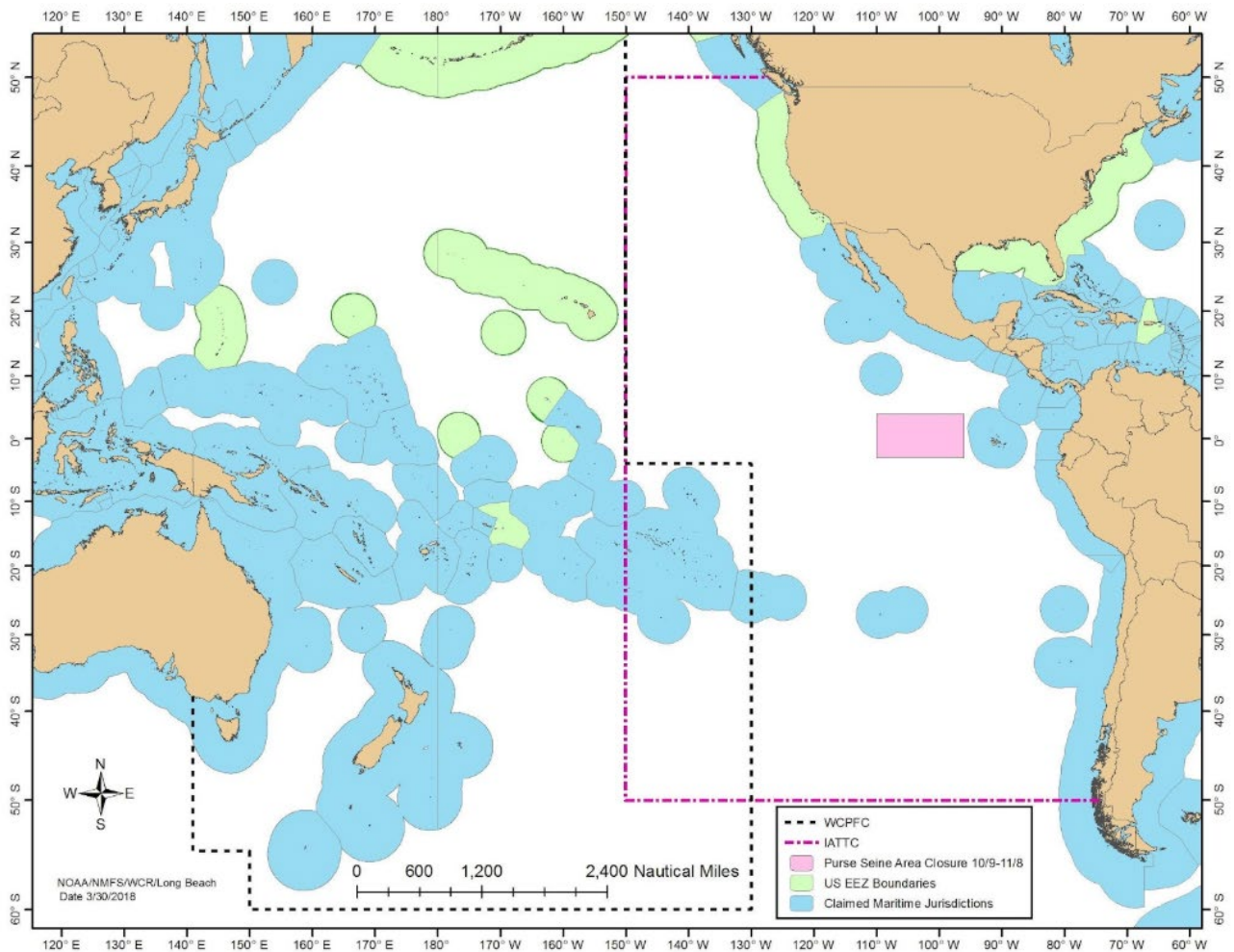


Figure 1. The IATTC Convention Area is encompassed by the purple dashed line and the west coast of the Americas. The WCPFC Convention Area is encompassed within the black dashed line, and the Area of Overlap is the rectangular area bounded between the Convention Areas of the IATTC and WCPFC.

FAD Recovery, Reporting and Design Restrictions (50 CFR [300.22\(c\)\(5\)](#) and [300.28\(f\)-\(h\)](#))

Q2. What is FAD recovery?

U.S. vessel owners and operators may recover FADs for final disposal or recycling. Recovery activities must be limited to the collection of FADs for final disposal or recycling and may not include any type of maintenance or adjustment on deployed FADs.

Q3. How are recovered FADs reported?

U.S. vessel owners and operators must report information on FADs that are recovered for disposal or recycling to the IATTC, unless that information is already reported to the IATTC by an observer. This information must be reported using a format and address [provided by the HMS branch](#). The owner and operator must ensure that the form is submitted within 30 days of each recovery to the address specified by the HMS Branch.

Q4. Are there restrictions on FAD design and construction starting in January 2025?

Yes. Beginning January 1, 2025. U.S. purse seine vessel owners and operators must ensure that the design and construction of any FAD to be deployed or redeployed (*i.e.*, placed in the water) in the IATTC Convention Area uses only non-entangling FAD materials. *Non-entangling FAD* means a FAD that does not include any netting materials for any part of the FAD including both the surface structure (*e.g.*, raft) and subsurface structure (*e.g.*, tail).

Q5. Will there be more restrictions on biodegradable materials on FAD design and construction in the future?

Yes, beginning January 1, 2026, the following restrictions will apply to all FADs deployed or redeployed in the IATTC Convention Area

- (1) The surface part of the FAD must be made of fully biodegradable materials, except for flotation components (*e.g.*, plastic buoys, foam, purse-seine corks),

- whereas the subsurface part of the FAD may contain non-biodegradable materials (e.g., synthetic raffia, metallic frame, plastic floats, nylon ropes); or
- (2) The subsurface part of the FAD must be made of fully biodegradable materials, whereas the surface part and any flotation components (e.g., plastic buoys, foam, purse-seine corks) of the FAD may contain non-biodegradable materials (e.g., synthetic raffia, metallic frame, plastic floats, nylon ropes); or
 - (3) The surface part, except for flotation components (e.g., plastic buoys, foam, purse-seine corks), and subsurface part must be made of fully biodegradable materials. Non-biodegradable materials, in particular nylon ropes, can be used exclusively to strengthen the structure of the floating or underwater component of the FAD.

Beginning January 1, 2029, All FADs deployed or redeployed in the IATTC Convention Area must be made of fully biodegradable materials, except for flotation components (e.g., plastic buoys, foam, purse seine corks), which may be made of non-biodegradable material. Non-biodegradable materials, in particular nylon ropes, can be used exclusively to strengthen the structure of the floating or underwater component of the FAD. Restrictions on biodegradable FAD materials do not apply to satellite buoys that are attached to FADs in order to track them. See figure 1 for an example of a biodegradable FAD design.

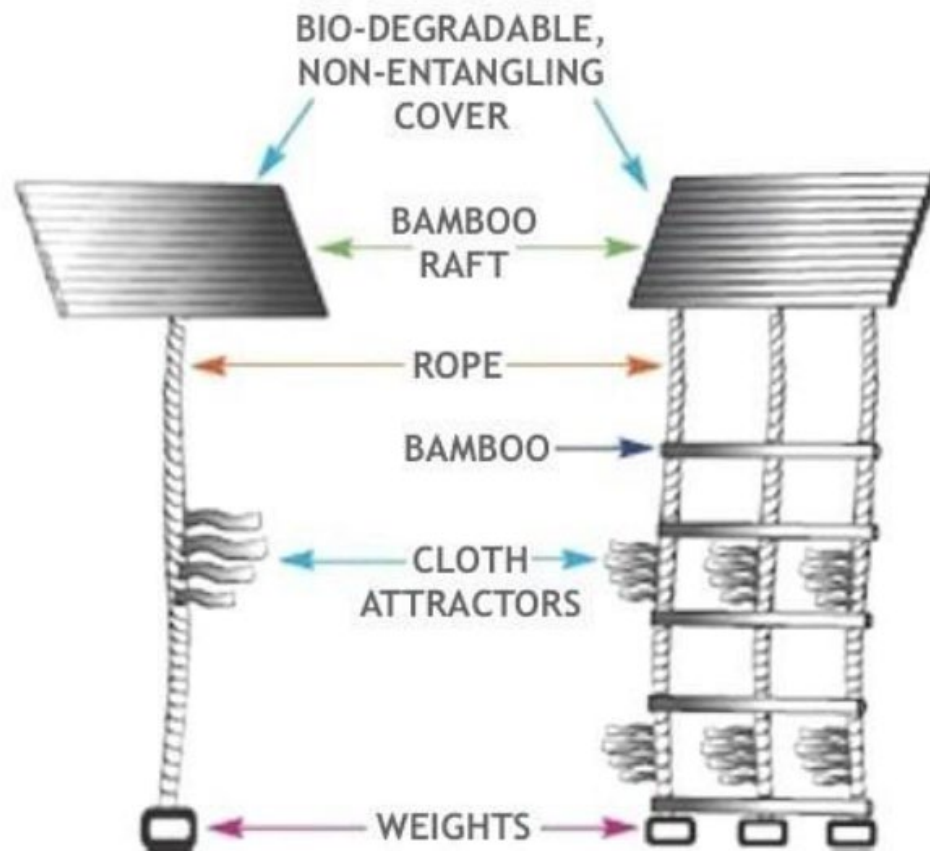


Figure 1: Example of a non-entangling, biodegradable FAD

Q6. What is considered biodegradable?

As defined in regulations at 50 CFR 300.21, Biodegradable means non-synthetic materials and/or bio-based alternatives that are consistent with approved international standards for materials that are biodegradable in marine environments. The components resulting from the degradation of these materials should not be damaging to the marine and coastal ecosystems or include heavy metals or plastics in their composition. Examples of non-synthetic materials include plant-based materials such as cotton, jute, manila hemp (abaca), bamboo, and natural rubber; and animal-based materials such as leather, wool, and lard. The approved international standards are ASTM D6691, ASTM D7881, and TUV Austria.

List of Contacts

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