

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
INTERNATIONAL REVIEW PANEL**

PERMANENT WORKING GROUP ON TUNA TRACKING

MINUTES OF THE 11TH MEETING

**La Jolla, California (USA)
7 October 2002**

Chair: Ms. Pat Donley (United States)

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. National Tuna Tracking Plans
4. Review of the implementation of the dolphin safe certification system
5. Possible technical modifications to the dolphin safe certificate
6. Promotion of dolphin safe tuna
7. Guidelines and procedures for using the dolphin safe label
8. Recommendations for the IRP and the Meeting of the Parties
9. Other business
10. Date and place of next meeting
11. Adjournment

APPENDICES

1. List of attendees

DOCUMENTS

- TT-11-05 Technical modifications to the AIDCP *dolphin safe tuna* certificate
TT-11-07 Guidelines and procedures for using the *dolphin safe* certification

The 11th Meeting of the Permanent Working Group on Tuna Tracking was held in La Jolla, California (USA), on 7 October 2002. The attendees are listed in Appendix 1.

1. Opening of the meeting

The meeting was opened by Ms. Pat Donley, of the United States, the Chair of the Working Group.

2. Adoption of the agenda

The provisional agenda was adopted with the following changes:

The European Union asked that Dr. Allen present a report on his visit to Europe in July 2002 under Item 6, *Promotion of dolphin safe tuna*. The United States asked that the handling of Tuna Tracking Forms be discussed under Item 9, *Other business*, and Costa Rica asked that this discussion include confidentiality issues. It was then agreed to discuss this issue under Item 3, *National Tuna Tracking Plans*.

3. National Tuna Tracking Plans

Dr. Allen reported that the Secretariat had received an amendment to El Salvador's Tuna Tracking Plan. Tuna tracking plans have now been received from Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Panama, Peru, Spain, United States, Vanuatu and Venezuela, but not from Bolivia, the European Union, Honduras, and Nicaragua.

It was noted that the Parties were obligated, pursuant to the *Procedures for Dolphin Safe Tuna Certification*, to submit their national plans to the IRP in order to analyze their consistency with the Tuna Tracking and Verification System and the provisions of Annex IX of the AIDCP. It was agreed that the Secretariat should review the plans and analyze such consistency, and report its conclusions at the next meeting. It was agreed that if the Secretariat discovered any discrepancies in its analysis it would first communicate with the nation involved before bringing them to the IRP.

Ing. Luis Torres presented a detailed and informative report on Ecuador's Tuna Tracking Program, and printed copies were made available to the Parties. Costa Rica volunteered to present its tuna tracking program at the next meeting.

Costa Rica and Vanuatu opened the discussion of document confidentiality and the distribution of Tuna Tracking Forms (TTFs). When a vessel makes port at the end of a trip, the observer leaves the vessel and takes the TTFs with him. If the tuna is not unloaded at that port, the vessel has no way to inform the processing plant or government representative regarding the dolphin safe status of the catch when the vessel eventually arrives at the port where the tuna is to be unloaded and/or processed. After extensive discussion of possible ways that this situation might be resolved, it was decided the following procedure would be tested and a report on the number of occurrences and any problems encountered will be delivered by the Secretariat at the meeting of the Working Group to be held in February 2003.

“When the vessel arrives in a port where the tuna will not be unloaded, and the observer leaves the vessel, a copy of the TTFs will be made and signed by the observer. The copy will be placed in a sealed envelope and left with the vessel owner or his representative, and the observer will take the originals with him.”

It was noted that in accordance with the Agreement and the laws and regulations of each Party, the confidentiality of documents, including TTFs, becomes the responsibility of the national authority of the processing Party once the tuna has been unloaded from the fishing vessel.

4. Review of the implementation of the dolphin safe certification system

The Secretariat presented a report which showed that 92% of originals and copies of TTFs were received by the Secretariat in the period since the last report. It was noted that the report should reflect how many originals and how many copies of TTFs were received, since the goal is to have 100% of original TTFs delivered to the Secretariat. One member also noted that reporting in percentages might make some

Parties appear to have a poorer record of submissions than they actually do. Nonetheless, the Parties agreed that good progress is being made towards the goal.

5. Possible technical modifications to the dolphin safe certificate

Dr. Allen presented Document TT-11-05 and explained the modifications that are being suggested to the certificate form. Some minor modifications to the form were approved by the Parties, including the addition of the initials "AIDCP" in the form's title; in the chapeau after the words "and may bear the..."; and in Section 4 after the words "to utilize the" Costa Rica noted that restricting the Certificate to one trip may not be possible. Further investigation is required, so consideration of these modifications will be held over until the next meeting of the Working Group in February.

6. Promotion of *dolphin safe* tuna

As requested, Dr. Allen reported on last summer's trip to Europe, and also mentioned that two memos on the subject had been sent to the Parties, and no replies were received. The first noted the upcoming trip, and the second of September 9, 2002, was a report of the visit and some recommendations regarding possible next steps, to include: (1) a series of scientific seminars by an IATTC scientist; (2) a marketing campaign aimed at industry associations, supermarket chains and processors; and (3) costs to be borne by participants. Dr. Allen noted that about US\$3,000 has already been spent. The EU noted that it had voiced some concerns regarding the trip in a memo to the Parties dated July 30. One concern was that some of the materials used appeared to favor one method of fishing over another. The EU also questioned the usefulness of scientific seminars and reminded the group that no agreed decision had been taken in Manzanillo on this issue by the Meeting of the Parties. There followed a discussion of the cost of the label promotion, but no agreement was reached on how such a campaign should be financed. The U.S. suggested that the members who wish to participate in a marketing campaign should prepare a plan and a budget.

7. Guidelines and procedures for using the *dolphin safe* label

Dr. Allen presented Document TT-11-07 and explained the suggested modifications to the procedures for dolphin safe tuna certification. While the modified document appeared to be generally acceptable to the members, due to the difference of opinion regarding how many trips might be listed on a single certificate, further consideration of this item was deferred until the next meeting of the Working Group.

8. Recommendations for the IRP and the Meeting of the Parties

It was noted that further work would be done on the *Procedures for dolphin safe tuna certification* presented in Document TT-11-07.

9. Other business

The U.S. discussed the issue of AIDCP/Secretariat confidentiality policy, and particularly whether Parties should be able to request that the Secretariat release information to other Parties that would not be released to any outside entities. The members were asked to consider whether the level of confidentiality afforded to tuna tracking information in the keeping of the Secretariat should be different when applied to Parties than the level of confidentiality applied to those outside the Agreement. A short discussion ensued; however, no definitive conclusion was reached.

10. Date and place of next meeting

It was agreed that the next meeting of the Working Group would be scheduled to coincide with the meeting of the IRP in February 2003.

11. Adjournment

The meeting was adjourned on October 7, 2002.

Appendix 1.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACIÓN DE LOS DELFINES
PERMANENT WORKING GROUP ON TUNA TRACKING
GRUPO DE TRABAJO PERMANENTE SOBRE EL SEGUIMIENTO DEL ATUN**

11th MEETING – 11^a REUNION

**7 Oct 2002
La Jolla, California**

ATTENDEES - ASISTENTES

BOLIVIA

YERKO GARÁFULIC
Ministerio de Agricultura

COLOMBIA

**JAIME JIMÉNEZ
ARMANDO HERNÁNDEZ
ALVARO BUSTAMANTE**
Ministerio de Agricultura y Desarrollo Rural

COSTA RICA

**GEORGE HEIGOLD
ASDRÚBAL VÁSQUEZ**
INCOPECA

ECUADOR

**RAFAEL TRUJILLO BEJARANO
LUIS TORRES NAVARRETE**
Ministerio de Comercio Exterior, Industrialización y Pesca

EL SALVADOR

SONIA SALAVERRIA
Ministerio de Agricultura y Ganadería

EUROPEAN UNION – UNION EUROPEA

ROBERTO CESARI
European Commission
IGNACIO ESCOBAR
JUAN I. ARRIBAS
Ministerio de Agricultura, Pesca y Alimentación de
España

JAVIER ARÍZ TELLERIA
Instituto Español de Oceanografía

MEXICO

**RICARDO BELMONTES
LUIS FLEISCHER
PEDRO ULLOA**
SAGARPA
**MICHEL DREYFUS
HUMBERTO ROBLES**
PNAAPD

LUIS FUEYO MACDONALD
SEMARNAT/PROFEPA
RAUL VALDES RAMIREZ
Secretaría de Economía
ERNESTO ESCOBAR

PANAMA

ARNULFO FRANCO
Autoridad Marítima

PERU

ALBERTO HART
PATRICIA DURAN
ADRIANA GIUDICE
Ministerio de Relaciones Exteriores

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

DAVID HOGAN
Department of State

JAMES LECKY
PAT DONLEY
ALLISON ROUTH
NICOLE LEBOEUF
BRETT SCHNEIDER
MICHELLE ZETWO
WILLIAM JACOBSON
CHRISTOPHER, FANNING
National Marine Fisheries Service
RANDI THOMAS

VANUATU

EDWARD WEISSMAN
HUGO ALSINA LAGOS
Office of Deputy Commissioner of Maritime Affairs

ORGANIZACIONES NO GUBERNAMENTALES--NON-GOVERNMENTAL ORGANIZATIONS

NINA YOUNG
The Ocean Conservancy

INDUSTRIA ATUNERA -TUNA INDUSTRY

GABRIEL SARRÓ
OPAGAC

SECRETARIA – SECRETARIAT

ROBIN ALLEN, Director
ERNESTO ALTAMIRANO
DAVID BRATTEN
ALEJANDRA FERREIRA
JOSHUE GROSS

MARTÍN HALL
BRIAN HALLMAN
BERTA JUÁREZ
MARLON ROMÁN
NICHOLAS WEBB

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES

PERMANENT WORKING GROUP ON TUNA TRACKING

11TH MEETING

LA JOLLA, CALIFORNIA (USA)
OCTOBER 7, 2002

DOCUMENT TT-11-05

**TECHNICAL MODIFICATIONS TO THE AIDCP *DOLPHIN SAFE TUNA*
CERTIFICATE**

At the 10th Meeting of the Permanent Working Group on Tuna Tracking, held in Manzanillo, Mexico, on June 17, 2002, the Secretariat was asked to prepare guidelines to be used in preparing *Dolphin safe Tuna* Certificates. In undertaking this exercise, the Secretariat, in consultation with the Chair, considered that it might also be advisable to consider modifying the format of the current *Dolphin safe Tuna* Certificate and the procedures for dolphin safe certification. The proposed modified procedures are presented in Document TT-11-07. The proposed modified certificate and instructions are presented in this document; it is proposed that the instructions be printed on the reverse of the certificate.



Certificate No. DRAFT

Dolphin Safe Tuna Certificate

This document certifies that the tuna or tuna products associated with it, and with the Tuna Tracking Form indicated herein, were harvested by a vessel of a Party to the Agreement on the International Dolphin Conservation Program (AIDCP), meet the *dolphin safe* standards established pursuant to the AIDCP, and may bear the *Dolphin Safe* Certification Mark. For verification of this certification, or for information on the AIDCP, please contact the AIDCP Secretariat, c/o Inter-American Tropical Tuna Commission, 8604 La Jolla Shores Drive, La Jolla CA 92037-1508, USA; Tel: 858 546 7100; Fax: 858 546 7133; www.iattc.org; or by e-mail to dsafemaster@iattc.org

1. Tuna Tracking Form (TTF)			
Number:			
Date:			
	day	month	year

2a. Whole frozen weight of the species of tuna associated with this certificate:

Yellowfin (<i>Thunnus albacares</i>):				MT
Other species:				MT

2b. Wells:

B													
E													

3. Primary processing, weight, and processor's lot number for the species associated with this certificate:

Primary processing type:												
Weight:					MT	Lot number:						

4. Signature of AIDCP Competent National Authority

Signature:	SEAL or STAMP
Name:	
Agency:	
Date (day-month-year):	

The competent national authority authorizes the bearer of this Certificate to utilize the *Dolphin Safe* Certification Mark on the packaging of any product containing tuna specifically associated with this Certificate.

See instructions on reverse

INSTRUCTIONS FOR COMPLETING THE AIDCP *DOLPHIN SAFE* CERTIFICATE

1. TUNA TRACKING FORM (TTF):

Enter the 6-digit TTF number and the date that the TTF was signed by the IDCP observer and the vessel captain. If the observer and captain signed on different dates, enter the most recent of the two dates.

Enter ONLY ONE TTF NUMBER per certificate. If more than one TTF number is entered, the certificate cannot be verified.

More than one certificate can be issued for tuna documented on a TTF provided each certificate refers to a specific and different portion of the tuna on that TTF.

2. WHOLE FROZEN WEIGHT AND SPECIES

2a. Whole frozen weight of the species of tuna associated with this certificate: Enter the round weight, in metric tons, of the yellowfin tuna and any other tuna species associated with this certificate. Other species could include:

Bigeye tuna (*Thunnus obesus*)
Skipjack tuna (*Katsuwonus pelamis*)
Pacific bluefin tuna (*Thunnus orientalis*).

2b. Wells: Enter in the appropriate row (B = port; E = starboard) the numbers of the vessel wells from which the tuna associated with this certificate was unloaded, as recorded on page 4 of the corresponding TTF-A. **Cross out any boxes not used.**

3. PRIMARY PROCESSING, WEIGHT, AND PROCESSOR'S LOT NUMBER

Enter the type of primary processing (loins, canned, etc.) and weight, in metric tons, of each tuna species associated with this certificate, and the processor's lot number. If not applicable, enter "N/A".

4. SIGNATURE, NAME, AGENCY, DATE AND OFFICIAL SEAL

The certificate is invalid without the official stamp of the competent national authority and the name and signature of a representative of that authority whose name and signature are registered with the Secretariat.

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES

PERMANENT WORKING GROUP ON TUNA TRACKING

11TH MEETING

LA JOLLA, CALIFORNIA (USA)
OCTOBER 7, 2002

DOCUMENT TT-11-07

**GUIDELINES AND PROCEDURES FOR USING THE *DOLPHIN SAFE*
CERTIFICATION**

At the 10th Meeting of the Permanent Working Group on Tuna Tracking, held in Manzanillo, Mexico, on June 17, 2002, the Secretariat was asked to draft guidelines to be used in preparing *Dolphin Safe Tuna* Certificates. In undertaking this exercise, the Secretariat, in consultation with the Chair, considered that it might also be advisable to consider modifying the procedures for *dolphin safe* certification. Following, for the consideration of the Parties, are proposed modified procedures. The proposed instructions for preparing the *Dolphin Safe Tuna* Certificates and a modified format for the certificate are presented in Document TT-11-05.

AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

PROCEDURES FOR *DOLPHIN SAFE TUNA* CERTIFICATION

(amended¹)

2. DEFINITIONS

The terms used in this document are as defined in the AIDCP System for Tracking and Verification of Tuna, and as follows:

1. *Agreement* or *AIDCP*: the 1998 Agreement on the International Dolphin Conservation Program.
2. *Dolphin Safe Tuna Certificate*: Document issued by the competent national authority, evidence of the dolphin-safe status of tuna and tuna products, in accordance with the definition of the AIDCP System for Tracking and Verification of Tuna.
3. *Competent national authority*: The department of government or other entity designated by each Party which is responsible for implementing and operating the procedures for the Certification of *Dolphin Safe Tuna* and is authorized as a Party to the AIDCP to issue *Dolphin Safe Tuna* Certificates in accordance with these procedures, thereby licensing the bearer to utilize the Certification Mark for the associated tuna.
4. *Dolphin Safe Certification Mark*: The combination of words and symbols, incorporated herein as an integral part of these Procedures, that is owned by the AIDCP, and which certifies that tuna caught within the Agreement Area can be tracked and verified as caught in accordance with the *dolphin safe* standards delineated herein.
5. *Party*: a State or regional economic integration organization which has consented to be bound by the AIDCP and for which the AIDCP is in force.

¹ June 2002: Paragraph added to Section 3a

3. CERTIFICATION OF *DOLPHIN SAFE* TUNA AND TUNA PRODUCTS

1. Application of the procedures for the use of the *Dolphin Safe Tuna* Certificate shall be voluntary for each Party, especially in the event that they may be inconsistent with the national laws of a Party.
2. Notwithstanding paragraph 1 above, any Party that chooses to issue the *Dolphin Safe Tuna* Certificate shall do so only in accordance with the following procedures:
 - a. The Party within whose jurisdiction the tuna is unloaded or, as appropriate, the flag state of the vessel, shall be responsible for issuing the *Dolphin Safe Tuna* Certificate in accordance with the System for Tracking and Verification of Tuna.
 - b. A *Dolphin Safe Tuna* Certificate may not reference more than one fishing trip.
 - c. The *Dolphin Safe Tuna* Certificate forms shall be produced in a fixed format created by the Secretariat, on security paper and numbered consecutively.
 - d. The *Dolphin Safe Tuna* Certificate forms shall be provided by the Secretariat to the Parties that are using the *Dolphin Safe Tuna* Certificate and are implementing the System for Tracking and Verification of Tuna.
 - e. The *Dolphin Safe Tuna* Certificate shall include the number and date of the corresponding Tuna Tracking Form (TTF); the weight of the tuna, by species; if processed, type of processing and processor lot number; and the signature of the competent national authority, deposited with the Secretariat. The Certificate shall also include a statement that the competent national authority authorizes the bearer of the Certificate to utilize the *Dolphin Safe* Certification Mark on the packaging of any product containing tuna specifically associated with the Certificate.
 - f. The competent national authority shall be responsible for submitting to the Secretariat, within the first five (5) days of the month, all copies of the *Dolphin Safe Tuna* Certificate issued within the previous month.
 - g. For vessels with Dolphin Mortality Limits (DMLs), only tuna caught by vessels with captains on the AIDCP List of Qualified Captains shall be eligible for the *Dolphin Safe Tuna* Certificate. This provision shall not apply to those vessels authorized to fish in the Agreement Area that do not have a DML and that do not fish for tunas associated with dolphins.
 - h. At the end of one year, the Meeting of the Parties shall review the effectiveness of these procedures. Based, *inter alia*, on this review, the Meeting of the Parties may consider such conditions, modifications or additions to the procedures as may be necessary.
3. The Parties shall apply these procedures in a manner consistent with the AIDCP, and taking into account other resolutions adopted by the Parties for the purpose of promoting the objectives of the Agreement.

4. VERIFICATION

Subject to the AIDCP Rules of Confidentiality:

1. Parties shall submit their Tuna Tracking and Verification Programs to the International Review Panel, through the Secretariat, in order to analyze their consistency with the AIDCP Tuna Tracking and Verification System and the provisions of Annex IX of the AIDCP. Parties that do not submit their Tuna Tracking and Verification Plans to the Panel shall not be eligible to use the *Dolphin Safe* Certification.
2. Each competent national authority shall be responsible for issuing the *Dolphin Safe Tuna* Certificates and, while reserving its national sovereign rights, shall cooperate with the Secretariat to design and carry out a program of general reviews and spot checks of the implementation of its national tracking and verification program, in accordance with guidelines developed by the Parties. The competent

national authority will offer all necessary administrative support in the design and implementation of such a program.

3. The Parties shall ensure that companies operating in their respective territories and utilizing the *Dolphin Safe* Certification Mark have in place procedures to verify that all of their tuna products bearing the *Dolphin Safe* Certification Mark are linked to a *Dolphin Safe Tuna* Certificate.
4. The Parties, through the International Review Panel, will conduct a review of the *Dolphin Safe* Certification procedures, at least annually, based on, *inter alia*, a comparison by the Secretariat of the data contained in the TTFs with that contained in the *Dolphin Safe Tuna* Certificates submitted to the Secretariat. The Panel shall submit any comment or recommendation to the Meeting of the Parties for its consideration.
5. The Parties, through the International Review Panel, shall analyze possible situations that could undermine the implementation of the procedures for certification, and may recommend to the Meeting of the Parties relevant measures for their consideration consistent with the AIDCP and relevant provisions of international law.

5. ADOPTION OF THE *DOLPHIN SAFE TUNA* CERTIFICATE AND *DOLPHIN SAFE* CERTIFICATION MARK

The Meeting of the Parties approves the general format of the *Dolphin Safe Tuna* Certificate and the *Dolphin Safe* Certification Mark, appended hereto. Any authorized printed use of the *Dolphin Safe* Certification Mark shall be consistent with the following graphical elements and Pantone qualities:

Text: 711 CVU
Dolphin: Reflex Blue
Top Bar: 2905 CVU
Middle Bar: 2985 CVU
Bottom Bar: Reflex Blue

6. PUBLIC EDUCATION

1. Each Party, as appropriate, and the Secretariat shall give due publicity to the new *Dolphin Safe Tuna* Certificate and *Dolphin Safe* Certification Mark through relevant communications to interested governmental and non-governmental entities .
2. The Parties agree to disseminate objective information to, *inter alia*, importers, fishermen's organizations, and non-governmental organizations, using their own capabilities within their national and international markets, to support an accurate public perception of the AIDCP, in order to increase the broad understanding of the AIDCP and its objectives.
3. The Parties, through the Secretariat, may support the design and implementation of an international public education campaign to accomplish the objectives set forth within this section.

7. TRANSITORY PROVISION

Within thirty days following the adoption of these procedures, the Secretariat shall provide the *Dolphin Safe Tuna* Certificate forms described in paragraph 2(2)(c) to the Parties, who can begin issuing the respective certificates.

8. REGISTRATION OF *DOLPHIN SAFE* CERTIFICATION MARK

The Parties agree, consistent with their national laws and regulations, to facilitate the AIDCP registration of the *Dolphin Safe* Certification Mark within their respective jurisdictions, and to take such measures as may be appropriate and necessary to ensure such Certification Mark is not misused within their respective jurisdictions. In the event suspected misuse is identified, each Party agrees to notify the Secretariat of the details of such suspected misuse in a timely manner. The Secretariat shall advise the other Parties of any such notification received.