

NOAA Import Restrictions Under MMPA Impacts Tuna?

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Starting next year, tuna and seafood products from fisheries on the NOAA Fisheries List of Foreign Fisheries without a comparability finding cannot be imported into the US. NOAA has published full comparability findings for countries under the import provisions of the Marine Mammal Protection Act (MMPA). US fishermen already comply with strict bycatch mitigation rules, but this rule ensures that foreign fisheries must meet similar standards of protecting marine mammals to trade with America. How do these findings affect the US import of tuna products?

NOAA Fisheries has published full comparability findings for all fisheries in 89 countries and partial comparability findings for fisheries in 34 countries. Main tuna fishing and exporting nations to the US, such as Ecuador and Indonesia, were denied comparability findings for tuna caught by driftnets, gillnets, and entangling nets. The similar gear plus surface purse seine fishing by Vietnamese vessels in FAO 61 and 71 and their EEZ received the same results. Philippines tuna longline fishing in the WCPO (FAO 71), AO (FAO 31 and 31), and IO (FAO 51 and 57) were not recommended for comparability findings. This could be a huge blow for its canned tuna exports to the US for retail and foodservice. Bonito fishing by Chinese boats operating lift nets in the nation's EEZ, FAO 61, and the Chinese Sea has also been denied.

The comparability findings for all fisheries in 12 countries (Benin, Grenada, Guinea, Haiti, Iran, Namibia, New Caledonia, Russia, Saint Lucia, Gambia, Togo, and Venezuela) were rejected. Only Gambia, Guinea, and Iran have commercial tuna fisheries, but they are not exporting to the US.

Effective January 1, 2026, tuna and other seafood products from fisheries that fail to meet US standards (denied a comparability finding) will no longer be imported. To support this enforcement, NOAA Fisheries and US Customs have developed lists of HTS codes that identify products that may have originated from these prohibited fisheries. These lists also show which fisheries are banned by country, using HTS codes, FAO species codes, and fishing gear types.

Fisheries in a prohibited country must use Certificates of Authorization for products from that country to prove that they did not originate from the banned fisheries.

What Is Comparability Finding?

It is a determination by NOAA that a country's export fishery or exempted fishery meets applicable requirements related to the management of marine mammal bycatch. The fisheries are classified as exempt when there is no known or low risk of marine mammal bycatch and as export when the risk of marine mammal bycatch is high or insufficient data are available.

To obtain it, a country must demonstrate that it:

1. Prohibits the intentional mortality or serious injury of marine mammals in the course of commercial fishing operations in the export and exempt fishery; or
2. Has procedures to reliably certify that exports of fish and fish products to the US from its export and exempt fisheries are not the product of an intentional killing or serious injury of a marine mammal.

In addition, an export fishery must also maintain a regulatory program for incidental death and serious injury to marine mammals that is comparable in effectiveness to the US regulatory program.

Countries must reapply for a comparability finding every four years to maintain their export rights. If a fishery was previously denied a comparability finding but now has new or updated information, those countries can reapply for a comparability finding after January 1, 2026.

In July, US lawmakers [met to discuss](#) an unpopular proposal to revise the MMPA. Over 50 environmental groups stated this would fatally undermine the protection of mammals and reverse five decades of conservation gains.