

Customs Confirms that Fish Tender Vessels Operating in Territorial Waters Must Be Jones Act Qualified

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On April 6, 2011, Customs and Border Protection confirmed in a private ruling that a fish tender transporting fish from a catching vessel in U.S. territorial waters to a U.S. port must be Jones Act qualified (i.e. registered in the United States, U.S. built, and owned and operated by qualified U.S. citizens). Generally, U.S. territorial waters extend three nautical miles from the U.S. coast. In a ruling issued on September 11, 2008, CBP confirmed that a fish tender transporting fish from a catching vessel outside U.S. territorial waters but within the U.S. Exclusive Economic Zone need not be Jones Act qualified.

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