UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

August 26, 2025

Mr. Gunvør Balle
Advisor
Ministry of Foreign Affairs and Culture
Gongin 7 / FO-100
Tórshavn
Faroe Islands

Dear Mr. Balle:

The U.S. National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) implements the Marine Mammal Protection Act (MMPA) to protect and conserve marine mammal species. The MMPA Import Provisions require that harvesting nations maintain a regulatory program to address the intentional and incidental mortality and serious injury of marine mammals in their export fishery(ies) that is comparable in effectiveness to the U.S. regulatory program.

In accordance with the MMPA Import Provisions, a harvesting nation must apply for and receive comparability findings for each of its export and exempt fisheries on the List of Foreign Fisheries (LOFF). A harvesting nation's fisheries are classified on the LOFF based on their frequency or risk of marine mammal bycatch as either exempt (remote likelihood of marine mammal bycatch) or export (more than a remote likelihood of marine mammal bycatch) and are required to receive comparability findings in order to export fish and fish products to the United States beginning on January 1, 2026.

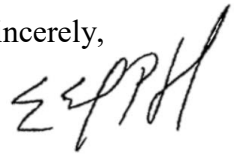
I am pleased to inform you that NOAA Fisheries has completed its review of the Faroe Islands' comparability finding application and any additional information submitted by the Faroe Islands, and has found all the Faroe Islands' fisheries on the LOFF to be COMPARABLE. NOAA Fisheries will publish its comparability finding determinations in the Federal Register and on our website on or about September 1, 2025. The Appendix below provides additional information on the U.S. MMPA Import Provisions.

The comparability finding determinations for the Faroe Islands are valid through December 31, 2029. During this period, NOAA Fisheries may reconsider and may terminate a comparability finding if it is determined, based on any progress report or other available information, that the Faroe Islands' regulatory program no longer meets the applicable conditions for a comparability finding. Therefore, NOAA Fisheries strongly encourages the Faroe Islands to maintain, and strengthen where possible, its efforts to minimize the incidental mortality and serious injury of marine mammals associated with your nation's commercial fisheries.

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

If you have any questions, please contact us at MMPA.LOFF@noaa.gov.

Sincerely,



Eugenio Piñeiro Soler
Assistant Administrator
for Fisheries

Cc:
Alexa Cole, NOAA Fisheries
Deirdre Warner-Kramer, U.S. Department of State

Enclosure: Appendix

APPENDIX

For more information on the United States Marine Mammal Protection Act Import Provisions (MMPA) and supporting documents see:

https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/noaa-fisheries-establishes-international-marine-mammal-bycatch-criteria-us-imports

https://www.fisheries.noaa.gov/foreign/international-affairs/list-foreign-fisheries

Background:
In 2016, NOAA Fisheries published a final rule (81 FR 54390, 15 August 2016) implementing the Import Provisions of the Marine Mammal Protection Act (MMPA). This rule established conditions for evaluating a harvesting nation's regulatory programs to address incidental and intentional mortality and serious injury of marine mammals in fisheries that export fish and fish products to the United States. The MMPA Import Provisions require that harvesting nations have a regulatory program for reducing marine mammal bycatch in each export fishery that is comparable in effectiveness to measures taken by the United States in order to export fish and fish products to the United States. These regulations can be found at https://www.gpo.gov/fdsys/pkg/FR-2016-08-15/pdf/2016-19158.pdf.

The List of Foreign Fisheries (LOFF) classifies fisheries based on the frequency of marine mammal bycatch in commercial fisheries exporting fish and fish products to the United States as either "exempt" or "export" fisheries (see regulatory text in the rule for definitions of exempt and export fisheries).

All harvesting nations were required to apply for a comparability finding for all fisheries on the LOFF by November 30, 2021. To export fish and fish products from these fisheries to the United States after January 1, 2026, all nations must have a comparability finding for all fisheries listed on the LOFF.

The conditions to receive a comparability finding for export and exempt fisheries are set out in the rule at 50 CFR 216.24(h)(6)(iii). Both exempt and export fisheries must obtain a comparability finding. Failure to receive a comparability finding for any fishery on the LOFF will result in U.S. import prohibitions for the fish and fish products from that fishery beginning in January 2026.

The resources section of the International Affairs Information Capture and Reporting System (IAICRS) provides some resources for marine mammal population assessment, and bycatch estimation and mitigation. We encourage you to consult those resources if you need additional information on the development of monitoring or mitigation programs.