



US Lacey Act: Declaration Requirement

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You Can Stop Illegal Timber Trade

Under the Lacey Act, it is unlawful to import certain plants and plant products into the United States without an import

The Lacey Act

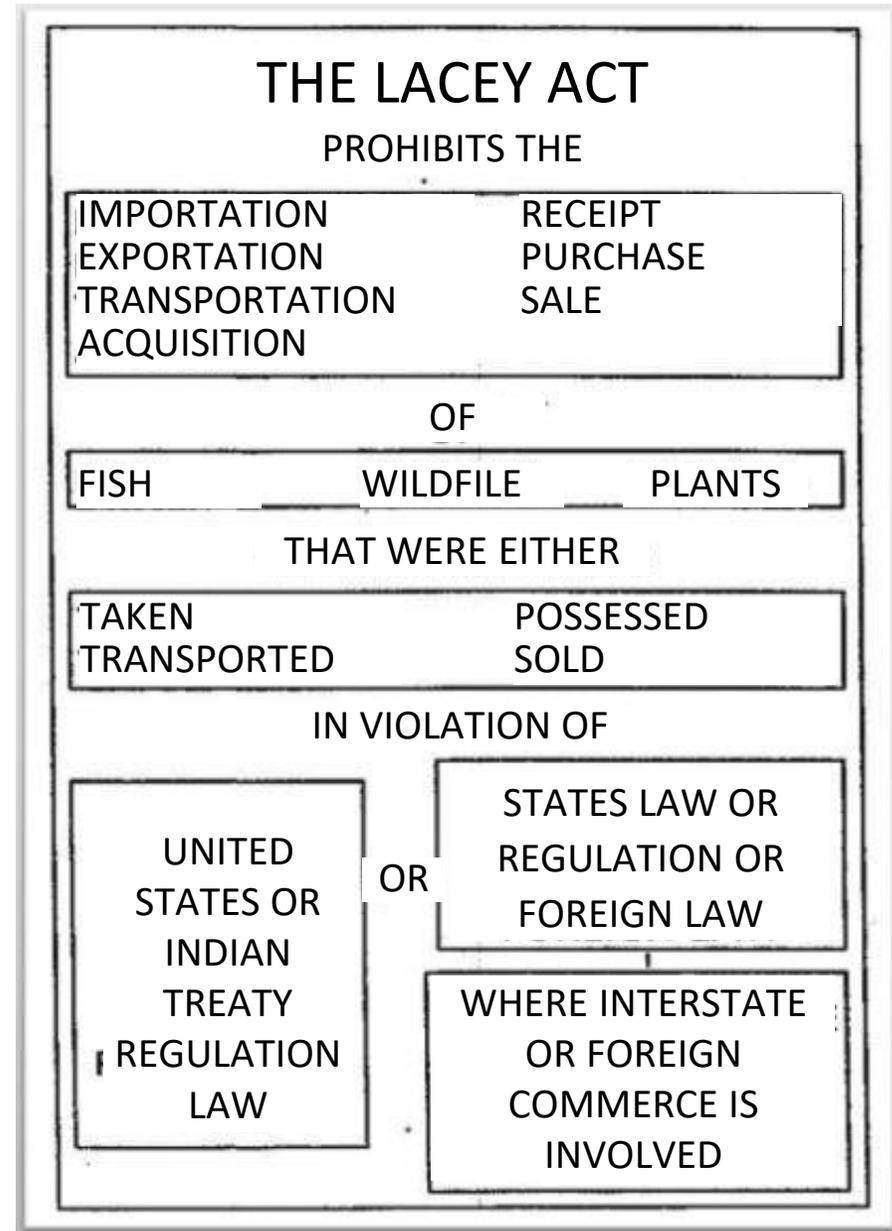
[16 U.S.C. §§ 3371-3378](#)

The Lacey Act became law in 1900, first federal law protecting wildlife

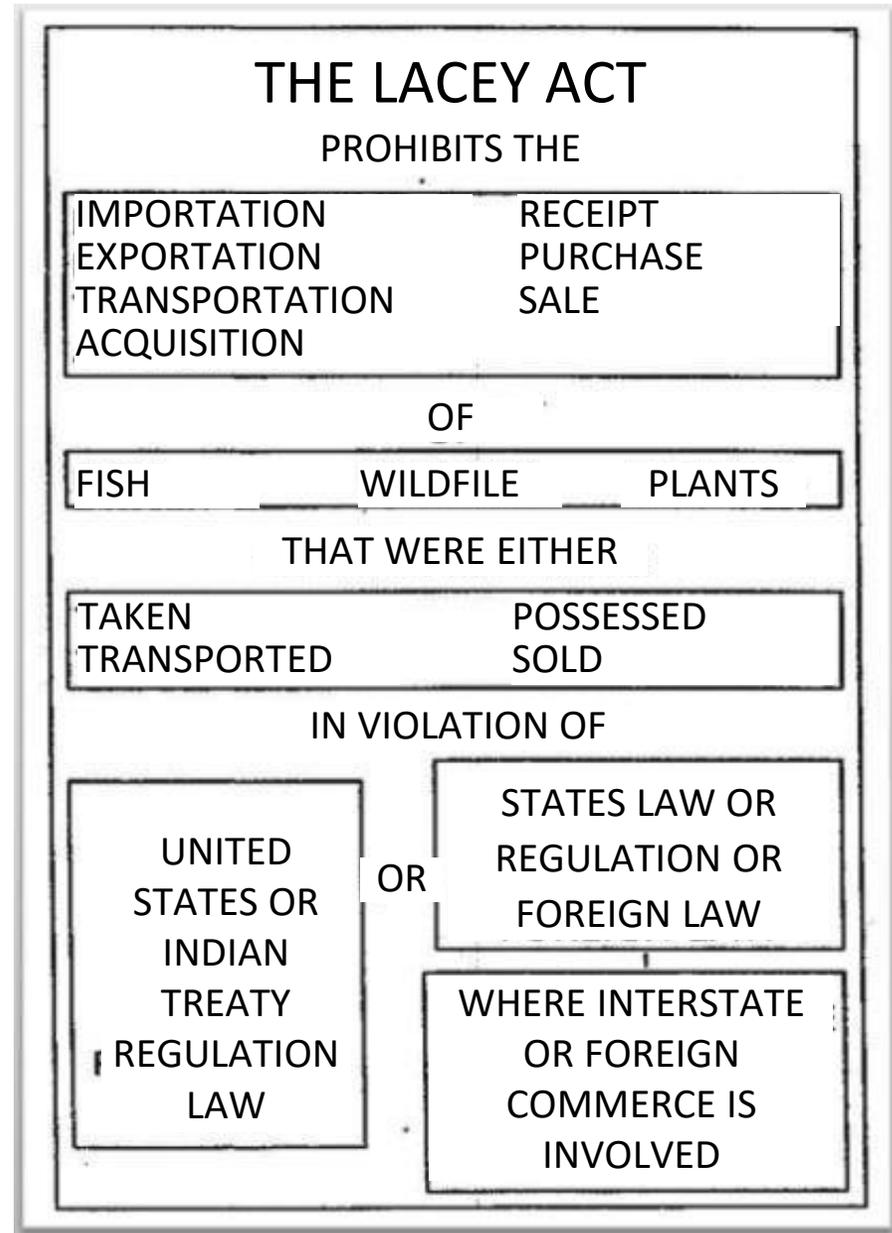
The 2008 Amendments to the Lacey Act made it unlawful to:

- import into the United States any plant or plant product that was illegally harvested
- import certain products without a declaration
- falsely label or falsely identify the plant product

Importer must exercise 'due care'



What is 'due care'?



Documents that can be used to support legal harvest

- **Commercial invoice**
- **Bill of Lading**
- **Export Packing List**
- **Air waybill**
- **Letter of Credit**
- **Dock Receipt**
- **Certificate of Origin**
- **Insurance Certificate**
- **Export License**
- **Forest Management Plan**
- **Third Party Auditing Scheme Certifications**

Lacey Act Declaration

What information is required on the declaration?

- The scientific name of the plant contained in the importation;
- The value of the importation;
- The quantity, including the unit of measure, of the plants/plant products;
- The name of the country from which the plant was harvested
- Shipment ID information such as the importer name, entry number, bill of lading, container number



How are declarations submitted to the U.S. Government?

- U.S. Customs and Border Protection's Automated Commercial Environment ("ACE")
- USDA-APHIS' Lacey Act Web Governance System ("LAWGS")
- An official declaration form (PPQ Form 505) submitted through U.S. mail

USDA collects over 1 million declarations every year.



According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0349. The time required to complete this information collection is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE

PLANT AND PLANT PRODUCT DECLARATION

SECTION 1 – Shipment Information

1. ESTIMATED DATE OF ARRIVAL (MM/DD/YYYY)	2. ENTRY NUMBER
3. CONTAINER NUMBER(S) <input type="checkbox"/> See Attachment	4. BILL OF LADING
6. IMPORTER'S NAME	3. MANUFACTURER IDENTIFICATION CODE (MID)
8. IMPORTER'S ADDRESS	7. CONSIGNEE'S NAME
10. DESCRIPTION OF MERCHANDISE	9. CONSIGNEE'S ADDRESS

SECTION 2 – Compliance with Lacey Act Requirements (16 U.S.C. 3372 (f))

For each article or component of an article, provide the following:

11. HTS NUMBER (no dashes/symbols)	12. ENTERED VALUE	13. ARTICLE/COMPONENT OF ARTICLE	14. PLANT SCIENTIFIC NAME		15. COUNTRY OF HARVEST	16. QUANTITY OF PLANT MATERIAL	17. UNIT	18. PERCENT RECYCLED
			Genus	Species				

I certify under penalty of perjury that, to the best of my knowledge and belief, the information furnished is true and correct.

PREPAPER'S NAME (printed)	PREPAPER'S SIGNATURE	EMAIL ADDRESS	TELEPHONE NUMBER	DATE (MM/DD/YYYY)
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Lacey Act Declaration

When is it required? “...upon importation...”

What types of plant products currently require a declaration?

- Products made solely of wood (logs, sawn wood, plywood, veneers, fuel wood, etc.)
- Wood sculptures, handles for tools, knives, guns, smoking pipes, billiards, kitchenware, picture frames, etc.
- Stringed musical instruments, pianos, drums, and associated instrument parts
- Solid wood furniture (bent-wood and other furniture primary made of solid wood)
- Some essential oils
- Wood pallets and crates, Oriented strand board
- Phasing in the rest of plant and plant product HTS codes (Phase VII)

Who may complete a declaration?

Only the importer or their customs broker may issue a Lacey Act declaration

Partnering at US Ports of Entry

Inspections of wood/wood products for CITES compliance by partner agencies

- Customs and Border Protection (U.S. Department of Homeland Security)
- Fish and Wildlife Service (U.S. Department of Interior)

Inspections of wood/wood products for Lacey Act compliance

- Targeted approach based on:
 1. Suspect violations identified as a result of CITES inspections
 2. Active investigations by U.S. Government agents
 3. Tips from other importers, civil society, or non-gov't organizations
 4. Referrals from other government regulators
 5. Noncompliance with U.S. trade agreements

USDA-APHIS' Role

- Risk-based review of declarations after release of shipments:
 - Identify noncompliance with the declaration requirements
 - Issue “Letters of Noncompliance” to importers and their brokers
 - Refer highest risk declarations to interagency enforcement partners
- Support investigations initiated by federal law enforcement agents
- Conduct importer surveys with US Customs and Border Protection
- Assist in the development of electronic analysis tools
- Assist partner US government agencies efforts to enhance our wood identification technologies



You Can Stop Illegal Timber Trade and Protect Endangered Animals

Under Federal law, you must submit a Lacey Act declaration to import certain plants and plant products into the United States. Your declaration helps our country prevent illegal trade in timber and timber products-so we can protect forests, people, and wildlife worldwide.

Learn More: www.aphis.usda.gov/planthealth/laceyact

Thank you!

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