SECTION 1 – GENERAL ORGANIZATION AND CBP RELATED POLICIES AND PROCEDURES QUESTIONS

1.1 Provide the name, title, and telephone number of the official(s) preparing information for this questionnaire.

1.2 Provide the name, title, and telephone number of the person who will be the contact for CBP.

1.3 Provide a brief description of your business operations, number of employees, products, divisions, customer base, and locations of offices, manufacturing facilities, distribution centers, etc.

1.4 Is there an individual or department specifically responsible for importing and CBP related activities or that has overall responsibility for ensuring compliance with CBP laws and regulations?

1.4.1 Please identify the individual or department and provide an organizational chart, clearly showing who is responsible for importing and CBP-related activities and who each person reports to (chain of command).

1.5 If the company has operating policies and procedures manuals for CBP/import operations, provide a copy of the manuals (preferably in electronic format).

1.6 Who in other departments is responsible for reporting CBP-related activities to the individual/department responsible for importing?

1.7 Describe the procedures for other departments to communicate with the individual/department responsible for importing on matters affecting imported merchandise.

1.8 Describe the procedures for the individual/department responsible for importing to disseminate relevant CBP information to other departments.

SECTION 2 – LACEY ACT QUESTIONS

2.1 Identify the imported items for which your company has determined that the Lacey Act requirements apply. Describe the item and indicate the foreign manufacturer/supplier that the merchandise was obtained from.
2.1.1 Do you use any middlemen, contractors, and/or brokers used to obtain merchandise from the manufacturers/suppliers? If so, please describe the services provided by each part.

2.1.2 Please explain who is responsible for placing orders with the manufacturers/suppliers by means of a purchase order, contract, or other means.

2.2 Identify specific procedures used by the company to identify whether imported merchandise is subject to the Lacey Act. Please indicate who (by name and/or title) is responsible for each procedure and when (and how often) the determination is made.

2.2.1 Does company personnel review new items prior to importation to determine if they are subject to the Lacey Act? If so, please describe the review process.

2.2.2 What information is used to determine whether items may be subject to the Lacey Act?

2.2.3 Please describe any information/documentation provided to your company by suppliers, manufacturers, etc., used for declaration of the merchandise.

2.2.4 Please describe any verification you conduct on the information/documentation provided to you.

2.3 Please describe the procedures followed by your company to ensure that imported merchandise subject to the Lacey Act is correctly declared to CBP.

2.3.1 Please indicate who, inside and/or outside of the company, is responsible for ensuring that merchandise subject to the Lacey Act is correctly declared to CBP.

2.3.2 Does company personnel review entries filed to verify that the Lacey Act declaration requirements were met? If so, please describe the review process.

2.3.3 What records are maintained to support the review of the entries?

2.4 Is Lacey Act applicability information maintained in a format that is provided to Customs Brokers?

2.4.1 If so, please provide a description of how this information is maintained, who is responsible for maintaining it, and evidence that the database was provided to the company’s Customs Brokers.

2.4.2 If not, please describe procedures taken by your company to communicate which imports are subject to the Lacey Act with your Customs Brokers.

2.5 What assistance has your company sought in determining whether merchandise is subject to the Lacey Act (i.e., CBP, Customs Brokers, USDA)?

2.6 Does the purchase order, letter of credit terms, or contracts/agreements with manufacturers/suppliers provide requirements concerning product harvesting? If so, please provide examples.
2.6.1 If your product harvesting requirements are breached by the manufacturer/supplier, what procedures would you take?

2.7 What specialized training and/or experience have key personnel involved in ordering, receiving, and declaring merchandise subject to the Lacey Act received? Please provide evidence to support any training identified.

2.8 How does the company obtain current information on Lacey Act requirements?

SECTION 3 – PLANT AND PLANT PRODUCT DECLARATION FORM (PPQ FORM 505) QUESTIONS

3.1 Who is responsible for filing the PPQ Form 505?

3.1.1 What specialized training and/or experience has the responsible official received regarding the completion of the PPQ Form 505? Please provide evidence to support any training identified.

3.2 Describe the procedures used to ensure that the information on the PPQ 505 is accurate.

3.2.1 What controls are in place to ensure that goods/articles are accurately described?

3.2.2 What controls are in place to ensure that the plant scientific name including genus and species are accurate?

3.2.3 What controls are in place to ensure that goods are harvested from the country of harvest?

3.3 Does the company verify where and by whom the imported merchandise is manufactured? If so, please explain and provide evidence of the verification process.

3.3.1 Does the company obtain factory profiles and require factory visits for manufacturers supplying potential Lacey Act merchandise?

3.3.2 Do you maintain documentation to prove the manufacturer of your purchase?

3.4 Who is responsible for maintaining documentation to support the declarations made on the PPQ 505?

3.4.1 Where is the documentation maintained?

3.4.2 How long is the supporting documentation maintained?