



United States Department of Agriculture



Animal and Plant Health Inspection Service Plant Protection and Quarantine

Dorothy Wayson

National Policy Manager
The Lacey Act Program

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APHIS' Lacey Act Program

- Manage declarations for plants and plant products and monitor compliance
- Develop regulations and policy
- Provide outreach



2008 Lacey Act Amendments

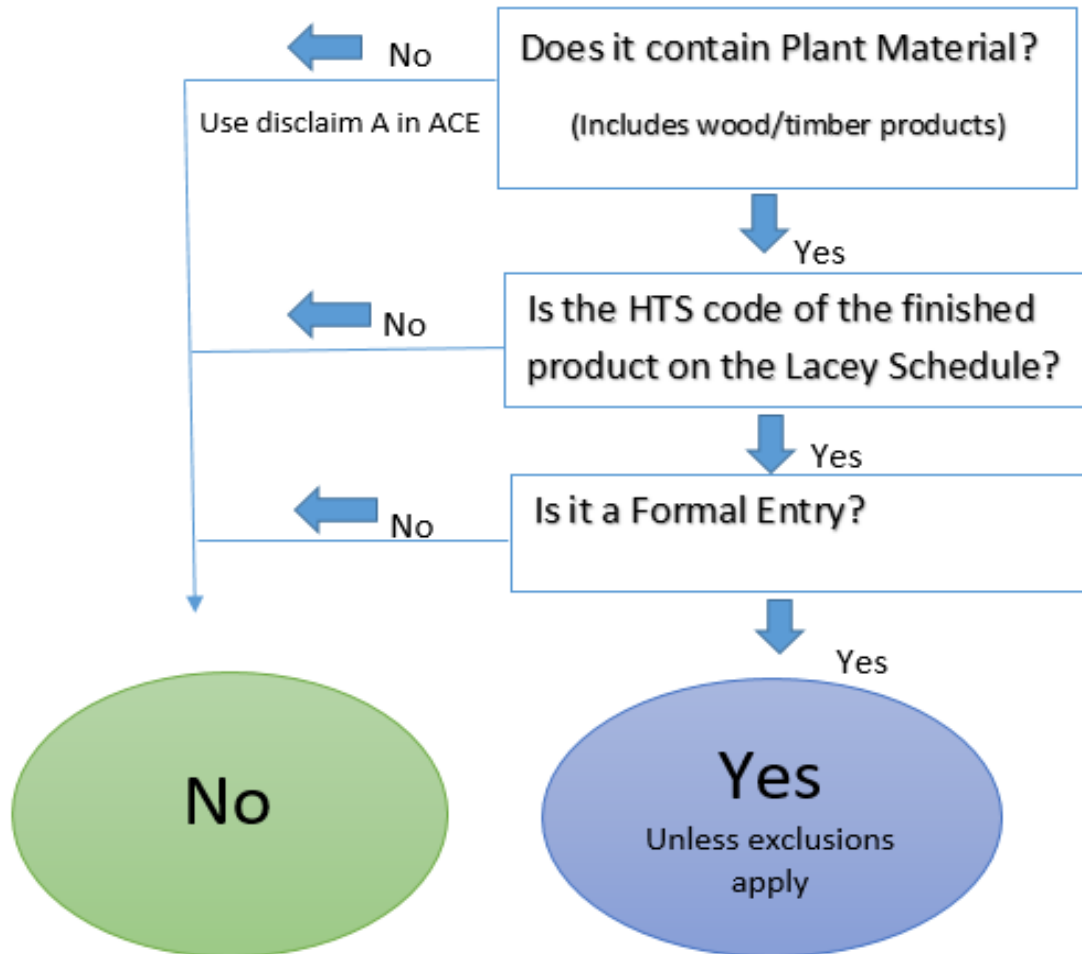


Legality
Requirement

The image shows a sample of the 'PLANT AND PLANT PRODUCT DECLARATION' form from the USDA. The form includes fields for 'DECLARANT', 'DATE OF DECLARATION', 'PLANT OR PLANT PRODUCT', 'COUNTRY OF ORIGIN', and 'COUNTRY OF EXPORTATION'. It also features a table for 'DECLARATION OF COMPLIANCE WITH FEDERAL ACT REQUIREMENTS (16 U.S.C. 1532)' with columns for 'PLANT OR PLANT PRODUCT', 'COUNTRY OF ORIGIN', 'COUNTRY OF EXPORTATION', 'DECLARANT', and 'DATE OF DECLARATION'. The form is titled 'USDA UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT AND PLANT PRODUCT DECLARATION'.

Declaration
Requirement

Do I Need to Declare Under The Lacey Act?



Is the HTS Code on Schedule of Enforcement?

Chapter 44	Chapter 94
Chapter 66	Chapter 95
Chapter 82	Chapter 96
Chapter 92	Chapter 97
Chapter 93	



...ings

- 9401612010—(upholstered teak chair, hous...
- 9401612030—(upholstered teak chairs, other)
- 940169—(Seats with wood frames) ³
- 9401901500—(parts of bent-wood seats) ⁴
- 9403304000—(bent-wood office furniture) ⁴
- 9403404000—(bent-wood kitchen furniture) ⁴
- 9403504000—(bent-wood bedroom furnit...
- ...604000—(other bent-wood furni...

See HTS codes in each chapter

Is it a Formal Entry?

CBP ENTRY TYPES THAT REQUIRE A LACEY DECLARATION

01	02	03	06
07	31	32	34
38	52		



Do not require a declaration

Informal entries:

- Certain transit shipments
- Temporary stay in U.S. (carnet)
- Personal shipments
- International mail

Does not apply to protected plants



Do not require a declaration

- Wood packaging material
- Products that meet the *de minimis* criteria



Does not apply to protected plants

De minimis Criteria

The plant material in a product represents no more than 5 percent of the total weight of the individual product unit...

Provided that the total weight of the plant material in an entry of products in the same 10-digit HTSUS code does not exceed 2.9 kilograms.





Disclaim Code “F” for De minimis

Record Identifier PG01 (Input)					
Data Element	Length/Class	Position	Status	Description	Note
Disclaimer	1A	80	C	Data not present because: “A” – Product not regulated by this agency, “B” – data is not required per agency guidance “C” – data filed through other agency means “D” – data filed through paper “F” – Product qualifies for de minimis exception Please see individual agency guidance for clarification on when each case is permissible.	1

Questions or Comments

Dorothy C. Wayson

Dorothy.C.Wayson@usda.gov

Telephone: 301-851-2036



INTERNATIONAL YEAR OF
PLANT HEALTH

2020

Send inquiries to:

Lacey.Act.Declaration@usda.gov