

# SHIPPING WOOD OR PLANT PRODUCTS TO THE U.S?

WHAT YOU NEED TO KNOW ABOUT THE NEW REGULATIONS  
COMING DEC. 1ST

## What is the Lacey Act?

The Lacey Act is a U.S. federal law designed to protect wildlife, fish, and plants by regulating trade in both native and foreign species and preventing the trade of illegally sourced natural resources. In 2008, the Lacey Act was amended to address illegal logging, making it illegal to import wood and wood products obtained in violation of international laws.

## What does the Lacey Act do?

The Lacey Act makes it unlawful to “import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any plant, with some limited exceptions, taken or traded in violation of the laws of the United States, a U.S. State, or a foreign country”.

## What is Phase VII?

Phase VII will be implemented on December 1st, 2024. It includes a wide variety of materials and plant products, such as furniture, cork, sporting goods, and some essential oils that have not yet required a declaration. This list is intended to encompass the remainder of plant products not currently covered.

## Do I need to fill out a Lacey Declaration?

A Lacey Declaration is necessary if:

- Your product contains plant material; AND
- Your product is classified under a Harmonized Tariff Schedule (HTS) code listed on APHIS' Implementation Schedule; AND
- Your shipment is imported as a formal entry; AND
- Your shipment falls under one of the entry type codes covered

**If you import items now that contain plant products, and you do not currently file a Lacey Act Declaration, you will likely need to file one once Phase VII is implemented on *December 1st, 2024\**.**

## What happens if I do not comply with the Lacey Act?

Any person who violates the Lacey Act could be subject to severe civil and criminal penalties, including fines, forfeiture of goods, and imprisonment.

## How do I file a Lacey Act Declaration?

A Lacey Act Declaration is filed on form PPQ 505 and is typically provided to your US Customs Broker, who will file electronically on your behalf. US CBP collects this data on behalf of APHIS for their review.

Note that a Lacey Act Declaration must be completed and signed for each customs entry; no blanket Declarations are allowed.

**IMPORTANT NOTE:** This form requires you to provide a scientific genus and species name for every type of wood/plant product in your shipment, as well as a Country of Harvest (this is not the same as country of origin/manufacture). See below example:

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				
9401692010	1354	Bentwood Seats Made of Oak	Quercus	lineata	Indonesia	500	kg	0
4407950000	8442	European ash lumber (2" x 4")	Fraxinus	excelsior	Switzerland	52	m <sup>3</sup>	0

It is suggested that you secure this information from your supplier(s) well in advance of importation, since it must be presented at time of entry. Not having this information on hand will result in delays and possible additional storage or demurrage costs.

## What new products are included in Phase VII?

A complete list of approximately 250 HTS codes can be found in the US Federal Register Notice, Implementation of Revised Lacey Act Provisions, dated May 31, 2024.

## Key product categories affected by this phase include:

- Industrial or medicinal plants (HS 1211)
- Vegetable saps and extracts (HS 1302)
- Pyrotechnic products (HS 3605)
- Miscellaneous Chemical products (HS 3805.90.1000)
- Essential oils derived from plants; incense (HS 3301, 3307)
- Additional paper and paperboard products (HS 4811, 4819, 4820)
- Vegetable plaiting materials (HS 1404)

- Articles of leather, travel goods and handbags (HS 4202)
- Cork and articles of cork (HS 4501, 4503)
- Baskets and wickerwork (HS 4601, 4602)
- Fish netting and fishing nets of materials other than manmade materials (HS 5608.90.1000)
- Footwear (HS 6402, 6403)
- Umbrellas (HS 6601, 6603)
- Tools and Cutlery (HS 8202 – 8215)
- Machinery (HS 8418, 8436, 8438, 8445, 8446, 8447, 8448, 8450, 8451, 8452, 8481)
- Electrical Machinery and equipment (HS 8518, 8538, 8543)
- Vehicles (HS 8708, 8716)
- Aircraft and spacecraft (HS 8802)
- Boats (HS 8901 – 8905)
- Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; Parts and accessories thereof (HS 9003, 9004, 9005, 9006, 9013, 9014, 9017)
- Clocks and watches (HS 9102, 9105, 9111, 9112)
- Musical Instruments (HS 9205, 9209)
- Arms and ammunitions (HS 9301, 9303, 9305)
- Furniture, bedding, mattresses and similar articles (HS 9401, 9403, 9404, 9405, 9406)
- Toys, games and sporting equipment (HS 9504, 9505, 9506, 9507, 9508)
- Miscellaneous manufactured articles (HS 9603, 9605, 9606, 9608, 9609, 9610, 9611, 9613, 9614, 9615, 9617, 9618)

### **How can I learn more about the Lacey Act and upcoming changes?**

For more information, please reach out to Frontier North America Inc at 206-246-6580 ext. 508, or [lbosques@frontierscs.com](mailto:lbosques@frontierscs.com).

You may also contact APHIS staff directly at [lacey.act.declaration@usda.gov](mailto:lacey.act.declaration@usda.gov) or visit their website at:

<https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/lacey-act>

\* Bamboo products made from species not classified as trees (e.g., some types of grass-like bamboo) may not require a Lacey Act declaration.