

# **LACEY ACT**

## **PLANT AND PLANT PRODUCT DECLARATION**

### **Instructions for Requesting a New Species Grouping**

The 2008 Lacey Act Amendments state that the import declaration must contain both the genus and the species of the imported plant material. 16 U.S.C. § 3372(f)(1)(A). The Act further requires that if the species of plant used to produce the product that is the subject of the importation varies, and the species used to produce the plant is unknown, the declaration shall contain a list of each species of plant that may have been used to produce the plant product. 16 U.S.C. § 3372(f)(2)(A).

APHIS recognizes that some products are commonly traded under shorthand names that stand for a specific collection of species of plants. It has been recommended in comments provided to notices that APHIS has published in the Federal Register that APHIS develop a list of shorthand designations that would satisfy the requirement to provide detailed genus and species information for such groups on each PPQ505. The shorthand designations would stand for a specific list of species, thus satisfying the declaration requirement more efficiently.

Consequently, APHIS has developed a list of [Special Use Designations \(SUD's\)](#) to facilitate the declaration of certain types of shipments. Special Use Designations are entered into the Scientific Name field(s) on the PPQ Form 505 (Box 14). The Species Groupings are one type of Lacey Act Special Use Designation.

APHIS maintains a list of the currently approved [Species Groupings](#) on the Lacey Act website.

### **Instructions for Requesting a New Species Grouping**

As APHIS continues to further streamline the declaration process, APHIS has developed a process for interested parties to request the creation of additional Species Groupings.

Requests for additional Species Groupings should be submitted to APHIS, after which they will enter the approval process and be reviewed for the commercial, economic and technical feasibility as well as other considerations. Once a determination has been made, the request will be designated APPROVED, NOT APPROVED, or NOT APPROVED DUE TO INSUFFICIENT INFORMATION. Upon approval the new species group will be added to the Lacey Act Guidance documentation and posted on the APHIS website. APHIS will also notify Trade of new Species Groupings through APHIS Stakeholder Registry Notices.

Species Groups are meant to facilitate the declaration of small groups of similar plant species which are: commonly used in trade, not easily distinguished one from another, and commonly traded together in individual shipments. A Species Group cannot be made to represent an entire plant Genus or Family. Use of a Species Group does not eliminate the importer's need to know the species that are being imported nor does it remove the Lacey Act due care requirements; it merely serves to streamline the reporting of information for the declaration process.

In order to be considered for approval, a request must contain the following:

- The proposed Species Grouping name (Example: SPF for “Spruce, Pine, and Fir”). This should be an actual commercially used trade name as industry shorthand.
- The list of scientific names associated with this Species Grouping. This should be a finite listing of each of the applicable genus and species. Lists comprised only of genus and/or family names will not be accepted.
- The country/countries where each of these species is grown. Identify in which country/countries wild harvest or plantation harvest occurs for each species listed.
- An explanation of how this Species Grouping name is used in trade, including a full explanation regarding the types and volumes of trade, as well as why the designation is used.
- An explanation of why the similarities in this group would make identifying the particular species in any individual shipment difficult, costly, and/or time consuming.

Please submit all requests for new Species Groups to [Lacey.Act.Declaration@aphis.usda.gov](mailto:Lacey.Act.Declaration@aphis.usda.gov) with the Subject Line: “Request for Approval of New Species Grouping.”