

Lacey Act Glossary

The following are terms that are commonly used in APHIS guidance documents to describe requirements under the Lacey Act.

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A.

ABI

Automated Broker Interface. This is the data submission interface with the CBP systems. Data submitted through ABI should follow submission protocols outlined in the [CATAIR](#).

APHIS

Animal and Plant Health Inspection Service. APHIS is a branch of the United States Department of Agriculture.

Artificial selection

The process of selecting plants for particular traits, through such means as breeding, cloning, or genetic modification.

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B.

Bill of Lading (BOL)

A document generated by a shipper, detailing a shipment of merchandise, giving title to the goods, and requiring the carrier to release the merchandise to a named party at the destination. The tracking number assigned to a BOL is collected by CBP and APHIS to help track the movement of the shipment in U.S. commerce. In the absence of a BOL, a waybill number may be used.

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C.

CATAIR

Customs and Trade Automated Interface Requirements. The [CATAIR](#) provides complete information describing how importers and/or their agents can become Automated Broker Interface (ABI) participants, as well as how they can provide electronic import information to ABI, and receive transmissions from ABI once they have become a participant.

CBP

Customs and Border Protection. CBP is a branch of the United States Department of Homeland Security.

Commercial scale

Production, in individual products or markets, that is typical of commercial activity, regardless of the production methods or amount of production of a particular facility or the purpose of an individual shipment.

Common Cultivar

A plant (except a tree) that:

- (1) Has been developed through artificial selection for specific morphological or physiological characteristics; and
- (2) Is a species or hybrid, or a selection thereof, that is produced on a commercial scale; and
- (3) Is not listed:
 - (i) In an appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249);
 - (ii) As an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or
 - (iii) Pursuant to any State law that provides for the conservation of species that are indigenous to the State and are threatened with extinction.

Common Food Crop

A plant that:

- (1) Is raised, grown, or cultivated for human or animal consumption; and
- (2) Is a species or hybrid, or a selection thereof, that is produced on a commercial scale; and
- (3) Is not listed:
 - (i) In an appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249);
 - (ii) As an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or
 - (iii) Pursuant to any State law that provides for the conservation of species that are indigenous to the State and are threatened with extinction.

Composite

For purposes of the Lacey Act Declaration, APHIS considers composite products to be: Products or materials that are made of more than one type of plant which have been mechanically processed into small fibers and bonded together chemically. This includes: Medium Density Fiberboard (MDF), High Density Fiberboard (HDF), Oriented Strand Board (OSB), Particle Board, Paper, Paperboard, and Cardboard.

Country of Harvest

This is the country in which a plant has been taken or harvested. This may not be the country of manufacture/origin.

Country of Origin

This is country in which the plant or plant product was manufactured or sold. This may not be the country of harvest.

Customs Entry Number (CEN)

The number assigned to an entry document and used by Customs for future references to the entry. The CEN is an 11-character entry number in the format XXX-NNNNNNN-Y. XXX represents an entry filer code assigned by Customs, NNNNNNN is a unique number, which is assigned by the broker or importer, and Y is a check digit computed from the first 10 characters based on a formula provided by Customs. Also referred to as Entry Number.

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D.**Declaration**

The Lacey Act Plant and Plant Product Declaration. PPQ Form 505. The Lacey Act Amendments of 2008 require that all shipments of plants and plant products file, upon importation, a declaration containing: the plant scientific name (genus and species), quantity of plant material (including unit of measure), value (in U.S. dollars), and the percentage of recycled material (for paper/paperboard).

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E.**Entry Number**

See **Customs Entry Number**.

Entered Value

This is the total (U.S.) dollar value of merchandise being declared under a single HTS number.

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F.**Fish or wildlife**

Any wild animal, whether alive or dead, including without limitation any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, whether or not bred, hatched, or born in captivity, and includes any part, product, egg, or offspring thereof.

FWS

Fish and Wildlife Service. FWS is a branch of the United States Department of the Interior.

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G.**Genus**

A genus is a taxonomic rank used in the biological classification of plants. Genus is part the Scientific Name as required by the Lacey Act. For example, the scientific name of Balsam fir is *Abies balsamea* (where the genus is *Abies* and species is *balsamea*).

See **Scientific Name**.

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H.**HTS (or HTSUS) Number**

The Harmonized Tariff Schedule (or Harmonized Tariff Schedule of the United States) Number. The HTS comprises a hierarchical structure for describing all goods in trade for duty, quota, and statistical purposes. This structure is based upon the international Harmonized Commodity Description and Coding System (HS), administered by the World Customs Organization in Brussels ; the 4- and 6-digit HS product categories are subdivided into 8-digit unique U.S. rate lines and 10-digit non-legal statistical reporting categories. Classification of goods in this system must be done in accordance with the General and Additional U.S. Rules of Interpretation, starting at the 4-digit heading level to find the most specific provision and then moving to the subordinate categories.

Almost all countries use tariff classification systems based on the international HS. The HS is defined to the six-digit level, so foreign tariff schedules will be identical with the HTS up the six-digit level but may differ at finer levels of detail. (An exception is when countries implement changes to the HS at different times.)

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I.

Import

To land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

Indian tribal law

Any regulation of, or other rule of conduct enforceable by, any Indian tribe, band, or group but only to the extent that the regulation or rule applies within Indian country as defined in section 1151 of title 18.

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L.

Law, treaty, regulation, or Indian tribal law

Laws, treaties, regulations or Indian tribal laws which regulate the taking, possession, importation, exportation, transportation, or sale of fish or wildlife or plants.

LAWGS

Lacey Act Web Governance System. LAWGS is an online tool that allows filers to log into APHIS systems and enter their PPQ Form 505 information directly. This tool will also allow filers to save commonly used declaration data in templates for quick and easy future submissions. LAWGS is intended to assist importers who are currently filing Lacey Act paper declarations. This tool does not

replace the Automated Broker Interface process currently used by the vast majority of importers to file Lacey Act declarations electronically.

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M.

MID

Manufacturer's Identification Number. This is a unique code which CBP uses to identify companies which import goods into the United States. For guidance on how to create a MID please see this Guidance on the [CBP website](#).

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P.

Packing Material

Plant

Any wild member of the plant kingdom, including roots, seeds, parts or products thereof, and including trees from either natural or planted forest stands.

EXCLUSIONS

The terms "plant" and "plants" exclude—

- (A) common cultivars, except trees, and common food crops (including roots, seeds, parts, or products thereof);
- (B) a scientific specimen of plant genetic material (including roots, seeds, germplasm, parts, or products thereof) that is to be used only for laboratory or field research; and
- (C) any plant that is to remain planted or to be planted or replanted.

EXCEPTIONS TO APPLICATION OF EXCLUSIONS

The exclusions made above do not apply if the plant is listed—

- (A) in an appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249);
- (B) as an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or
- (C) pursuant to any State law that provides for the conservation of species that are indigenous to the State and are threatened with extinction.

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Q.

Quantity of Plant Material

This is the amount measured in metric units (kilograms – kg, meters – m, meters squared – m², or meters cubed – m³) of each individual species contained in a given shipment.

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R.**Recycled Product/Material**

For purposes of the Lacey Act Declaration, APHIS considers recycled materials to be: Products or materials which are derived from highly processed waste material. This includes: Recycled Paper, Recycled Paperboard.

Reclaimed Product/Material

For purposes of the Lacey Act Declaration, APHIS considers reclaimed/reused materials to be: Materials which have been processed, found and repurposed for new products. This includes: Driftwood, Construction Debris, reclaimed lumber or salvaged products from old buildings, ships or other constructions.

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S.**Scientific Name**

The taxonomic, botanical or Latin name/classification of a plant. Scientific names are divided into categories in the following hierarchy: kingdom, phylum, class, order, family, genus, and species. The Lacey Act Amendments of 2008 require that the species be identified for each plant imported into the United States. (e.g. the scientific name of Balsam fir is reported as *Abies balsamea* (where the genus is *Abies* and species is *balsamea*))

Shipment

For purposes of the Lacey Act Declaration, APHIS considers a shipment to be those items imported into the United States (or its Territories) which are identified as part of a single Customs Entry (I.E. having a single Entry Number).

Species

A species is a taxonomic rank used in the biological classification of plants. Species is part the Scientific Name as required by the Lacey Act. For example, the scientific name of Balsam fir is *Abies balsamea* (where the genus is *Abies* and species is *balsamea*).

See **Scientific Name**.

Species Grouping

For the purposes of the Lacey Act Declaration, a Species Grouping is an Industry shorthand for a group of similar species that has been adopted by APHIS as a Special Use Designation.

SUD

Special Use Designation.

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T.

Taken

Captured, killed, or collected and, with respect to a plant, also means harvested, cut, logged, or removed.

Transport

To move, convey, carry, or ship by any means, or to deliver or receive for the purpose of movement, conveyance, carriage, or shipment.

Tree

A woody perennial plant that has a well-defined stem or stems and a continuous cambium, and that exhibits true secondary growth.

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