Special Use Designations

Last Modified:

The proper use of a special use designation (SUD) in a Lacey Act declaration fulfills the requirements of the Lacey Act regarding the declaration of the scientific name (genus/species). A declaration that uses a SUD to identify the scientific name must include all other information required by the Lacey Act.

If the importer uses the SUDs listed in the below tables properly—truthfully, accurately, completely, and appropriately pursuant to this guidance—in a Lacey Act declaration that is otherwise in compliance with the act's requirements, APHIS will not refer for prosecution or take any other enforcement action for failing to provide the scientific name of the plant product in a declaration.

Current List of SUDs

APHIS may remove or add new SUDs to the list of options below. Please check back for updates.

There is no SUD for the country of harvest field. If the country of harvest of the plant or plant product is unknown or is believed to be from more than one country, importers **must** provide the name of all countries from which the plant material may have been harvested (the country in which the plant was cut, logged, or removed). See 16 U.S.C. §3372(f)(2)(B) (80.51 KB).

Species Groupings

Circumstance	Genus Designation	Species Designation
Amabilis Fir (*Abies amabilis*) and Western Hemlock (*Tsuga heterophylla*)	TEMP	AATH
Western Larch (*Larix occidentalis*) and Douglas Fir (*Pseudotsuga menziensii*)	TEMP	LOPM
SPF	SPECIAL	SPF

Composite, Recycled, and Reclaimed Plant Materials

Circumstance	Genus Designation	Species Designation
MDF, HDF, OSB, Particle Board, Paper, Paperboard, etc.	SPECIAL	COMPOSITE
Recycled Material	SPECIAL	RECYCLED
Reclaimed or Reused Material	SPECIAL	RECLAIMED

Other Special Cases

Circumstance	Genus Designation	Species Designation
Manufactured Prior to May 22, 2008—Sourcing of Pre-Amendment Materials Untraceable Despite Due Care	SPECIAL	PREAMENDMENT
Hybrid Species (cultivated only)	Required	HYBRID

More Information

Expand All

Species Groupings

Amabilis Fir and Western Hemlock (AATH)

APHIS added a new species grouping for amabilis fir and western hemlock (AATH). For the purposes of the Lacey Act declaration (PPQ Form 505), the AATH species grouping includes the following species groupings:

- Amabilis fir (*Abies amabilis*)
- Western hemlock (*Tsuga heterophylla*)

Western Larch and Douglas Fir (LOPM)

APHIS also added a new species grouping for western larch and Douglas fir (LOPM). For the purposes of the Lacey Act declaration (PPQ Form 505), the LOPM species grouping includes the following species groupings:

- Western larch (*Larix occidentalis*)
- Douglas fir (*Pseudotsuga menziensii*)

These two groups each contain only two species that are similar and not easily distinguished one from another. They also contain common grades of lumber manufactured from varying proportions, commingled, and commonly traded together in individual shipments. Identifying the quantity of each particular species in individual shipments for these would be difficult, costly, and/or time consuming.

For shipments of these groupings (AATH and LOPM), the importer may declare the genus as “TEMP” and the species as either “AATH” or “LOPM” to represent the species that may be present in products, including pallets, that contain these species.

Enter the SUD into the “genus” and “species” field(s) for the declaration as shown in this example:

11. HTS Number	12. Entered Value	13. Article/Component	14. Scientific Name Genus/Species	15. Country of Harvest	16. Quantity of Plant Materials	17. Unit of Measure	Pe Re

4415.20.4000	2141	New Pallets	TEMP/LOPM	Canada	15115	M3
4415.20.4000	4356	New Pallets	TEMP/AATF	Canada	20005	M3

APHIS is working with U.S. Customs and Border Protection to modify the APHIS Lacey Message Set in the Automated Commercial Environment (ACE) system to add the permanent SUDs for these groupings. Once this is operational, importers and brokers can use the following permanent SUDs to report declaration information:

- Genus: SPECIAL
- Species: AATH or LOPM

Spruce Pine Fir (SPF)

Spruce, pine, fir (SPF) is a common grade of lumber manufactured from varying proportions of spruce, pine, or fir species. SPF imports are a combination of several distinct species but identifying the particular species in any individual shipment would be difficult, costly, and/or time consuming.

For the purposes of the Lacey Act declaration (PPQ Form 505), the SPF species grouping includes the following species groupings:

- *Abies balsamea*
- *Abies lasiocarpa*
- *Picea engelmannii*
- *Picea glauca*
- *Picea mariana*
- *Picea rubens*
- *Picea sitchensis*
- *Pinus banksiana*
- *Pinus contorta*
- *Pinus resinosa*

For shipments of SPF, the importer may declare the genus as “Special” and the species as “SPF” to represent that the specific species are unknown, but the SPF species grouping represents all possible species that may be present in the product. However, if a species of wood contained in the shipment does not fall under the

species grouping list above, the SPF grouping may not be used in the declaration to identify the genus and species of the plant or plant product being imported.

Enter the SUD into the “genus” and “species” field(s) for the declaration as:

11. HTS Number	12. Entered Value	13. Article/Component	14. Scientific Name Genus/Species	15. Country of Harvest	16. Quantity of Plant Materials	17. Unit of Measure	18. Percen Recycle
44071001	2141	SPF lumber	SPECIAL SPF	Canada	15115	M3	0

APHIS has also developed a process for interested parties to request the creation of additional species groupings.

Composite, Recycled, and Reclaimed

On October 1, 2009, APHIS began enforcement of the declaration requirements for plant products in certain Harmonized Tariff Schedule chapters that are composed in whole or in part of composite materials, such as medium density fiberboard, particle board, or paperboard; or recycled, reused, or reclaimed (including driftwood) material. For the purposes of the Lacey Act declaration, importers of such materials may have difficulty identifying the scientific name (genus/species) of the plant products they import. If an importer of such materials is unable through the exercise of due care to determine the scientific name for the plant materials, the importer may use the applicable SUD. By using the SUD, the importer is representing that it is not possible through the exercise of due care to determine the scientific name of such plant materials. If a product is not composed entirely of composite, recycled, reused, and/or reclaimed materials, the importer must indicate the scientific name for all other plant product components.

In an effort to simplify the SUD policy, APHIS has combined the SUDs for composite products into one designation (“Composite”) and for reused and reclaimed into another designation (“Reclaimed”). The importer should use the appropriate designation for their product in the "Scientific Name" fields. Importers must also identify the type of product in the article description field. APHIS has not made any changes to the SUD for recycled material.

For purposes of the Lacey Act declaration, APHIS uses the following definitions for the terms “Composite,” “Recycled,” and “Reused and/or Reclaimed:”

- **Composite—**These are materials made of small fibers of more than one kind of plant that are bonded together chemically and include medium density fiberboard (MDF), high density fiberboard (HDF), oriented strand board (OSB), particle board, paper, paperboard, and cardboard.
- **Recycled—**These are materials derived from highly processed waste material and include recycled paper and recycled paperboard.
- **Reclaimed and/or Reused—**These are materials that have initially been processed by another company for a difference purpose and are then repurposed to create new products. The plant materials include construction debris, reclaimed lumber or wood salvaged from old buildings, furniture or ships. Driftwood could be considered either natural or reused.

11. HTS Number	12. Entered Value	13. Article/Component	14. Scientific Name Genus/Species	15. Country of Harvest	16. Quantity of Plant Materials	17. Ur of Measu
9401692010	1354	Bentwood Seats Made of Oak	Quercus lineata	Indonesia	500	Kg
9401692010	2432	Seats made with MDF	SPECIAL COMPOSITE	Malaysia	450	Kg
9401692010	0	Paper veneer	SPECIAL COMPOSITE	Canada	5	Kg

Other Special Cases

Items Manufactured Before May 22, 2008

When plant products are imported that were manufactured before the enactment of the 2008 amendments to the Lacey Act (May 22, 2008), manufacturers may not have tracked the species name for their raw materials. It may be impossible to secure this information after the fact. If an importer of products manufactured before May 22, 2008, is unable to determine the scientific name of the plant materials contained in the products, the importer should use the applicable SUD set forth above. By using the SUD, the importer is representing that it is not possible,

through the exercise of due care, to determine the scientific name for the plant materials. If a product is not manufactured entirely before May 22, 2008, the importer must indicate the scientific name for all product components manufactured after that date.

11. HTS Number	12. Entered Value	13. Article/Component	14. Scientific Name Genus/Species	15. Country of Harvest	16. Quantity of Plant Materials	17. U of Meas
92011000	1354	Vintage Upright Piano (made in 1956)	SPECIAL PREAMENDMENT	Italy	800	Kg

No Plant Material Present—This SUD Has Been Removed

This SUD is no longer necessary. Importers should not file a declaration for products that do not contain any plant material. However, for importers or brokers filing the declaration in U.S. Customs and Border Protection’s Automated Commercial Environment (ACE), they will need to enter Disclaim Code “A” when the system prompts them to file a declaration for a product that contains no plant material. This may occur when the harmonized tariff schedule (HTS) code used to identify a product is one of the HTS codes listed in our Schedule of Enforcement, but your product does not contain any plant material (for example, stone sculptures).

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