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USDA Announces Phase VII of the Lacey Act Enforcement Schedule

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The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) is announcing the schedule of the next phase of Lacey Act declaration implementation. Phase VII will include a wide variety of materials and plant products, such as furniture, cork, and some essential oils that have not yet required a declaration. APHIS launched an outreach campaign in October 2022 to provide information about the upcoming declaration implementation phase.

In Phase VII, Lacey Act declarations will be required for all remaining plant product Harmonized Tariff Schedule (HTS) codes that are not 100-percent composite materials. Importers of such items who do not currently file a Lacey Act declaration will likely need to file one once APHIS implements Phase VII. APHIS encourages importers to prepare in advance by becoming familiar with their supply chain and reviewing what information is necessary [to file a declaration](#). APHIS' Lacey Act [web page](#) provides this guidance:

- Know your supply chain for each piece of plant material in the product
- Learn how to file a declaration
- Read the frequently asked questions

- Stay connected

APHIS is currently reviewing HTS codes to determine the complete list of materials and products that will be included in Phase VII. In fall 2023, APHIS will publish a list of affected HTS codes in the Federal Register and will require declarations for those product codes 6 months later.

First enacted in 1900, the Lacey Act combats trafficking in illegally taken wildlife, fish, or plants. The Food, Conservation, and Energy Act of 2008 amended the Lacey Act to provide, among other things, that importers submit a declaration at the time of importation for certain plants and plant products. APHIS ensures compliance with the declaration requirement as part of its mission to protect the health and value of American agriculture and natural resources, and it began enforcing the declaration requirement on April 1, 2009. Since 2009, APHIS has been phasing in enforcement of the declaration requirement, as described in previous notices APHIS published in the [Federal Register](#).

Learn more about the Lacey Act and how it relates to plants and plant products by visiting the APHIS [website](#). For further questions, please contact APHIS Lacey Act program staff at lacey.act.declaration@usda.gov.