

Breadcrumb

1. [Home](#)
2. Print
3. Pdf
4. Node
5. Entity Print

APHIS Responds to Revised Lacey Act Provisions Public Comments and Reminds Stakeholders of December 1, 2024, Implementation Deadline

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On May 31, 2024, the U. S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) published a notice in the Federal Register regarding the [implementation of Lacey Act Provisions](#). The notice listed the Phase VII implementation schedule for the 250 Harmonized Tariff Schedule (HTS) codes for plants and plant products that will require a Lacey Act Import Declaration on **December 1, 2024**. APHIS accepted public comments until July 30, 2024.

Based on stakeholder feedback from the [May 31, 2024, Federal Register Notice](#), we are making the following clarifications:

Regarding implementing HTS codes in Chapter 33 that cover essential oils.

- A company identified HTS code 3301295142 (essential oil of vetiver) as a common cultivar product that should not be on the implementation schedule and should be exempt from the Lacey Act. APHIS agrees and will not implement the HTS code 3301295142 as part of Phase VII.

- Other companies expressed concern about HTS code 3301295150 (other essential oils) because it contains many different species in the broad category of 'other'. The commenter asked for an additional 12-month extension beyond December 1, 2024. APHIS did not agree with the commenter's extension request and a Lacey Act Import Declaration will be required on December 1, 2024, for HTS code 3301295150.
 - APHIS responded to industry's concern about HTS code 3301295150 (as part of Phase VI) in 2020 and delayed the declaration requirement to allow industry to prepare. It has been 4 years since APHIS agreed to postpone declaration requirements and during that time they have engaged in almost 24 months of targeted outreach for Phase VII. The Lacey Act Program team does not believe an extension is needed.

Regarding omission of HTS codes in Chapter 94 that cover furniture.

- A letter from a group of non-governmental organizations brought to APHIS' attention that HTS codes 9403409040, 9403409060, and 9403409080 (from the furniture chapter) were omitted from the Phase VII list. APHIS will correct the oversight and publish a Federal Register notice with these codes and provide a 6-month waiting period before implementation.