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APHIS Will Implement Lacey Act Phase VII Requirements on Dec. 1

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) is reminding importers that we are implementing Phase VII of the Lacey Act provisions on Dec. 1, 2024. In this phase, declarations will be required for **all** remaining plant product Harmonized Tariff Schedule (HTS) codes that **are not** 100-percent composite materials.

If an importer imports items that contain plant products, but do not currently file a Lacey Act declaration, they likely will need to file under Phase VII. Phase VII includes the broadest range of items, items as varied as industrial or medicinal plants, handbags, plywood, laminated wood, tools, matches with natural wood stems, products of natural cork, products of bamboo and rattan, footwear and more. Plant and wood products included in past phases include timber, some furniture, essential oils, wood cases and trunks, and woodwind instruments and their parts and accessories.

The full list of products included in Phase VII can be found on https://www.federalregister.gov/documents/2024/05/31/2024-11901/implementation-of-revised-lacey-act-provisions, although HTS code 3301295142 will be exempt as it is made from a common cultivar.

The Lacey Act is one of the most important conservation laws ever passed by Congress. Since Congress amended the Lacey Act in 2008, it has been illegal to import and trade in illegally harvested plants. This combats illegal logging and

associated trade. APHIS was delegated responsibility enforcing the plant import declaration and is responsible for the plant provisions of the Lacey Act, while the U.S. Department of Interior's Fish and Wildlife Service is responsible for the wildlife provisions of the Lacey Act. The Department of Homeland Security works with both agencies at the borders and ports.

Requiring importers to affirmatively declare that their imports are legal means they must do their due diligence to ensure that what they are bringing in doesn't adversely impact forests, thereby reducing the demand for illegally harvested wood and the products made from them. It puts legitimate business and industry on a level playing field ensuring that they cannot be undercut by unscrupulous actors who violate foreign logging laws or endangered species protections.

APHIS began enforcing the declaration requirement on April 1, 2009, and established a schedule for phasing in its implementation. APHIS has spoken at numerous trade events since outreach began in September 2022, answered questions from over 1,700 individuals, published several APHIS Stakeholder Registry Notices in 2024, and hosted multiple webinars to give stakeholders plenty of time to prepare for this next phase of Lacey Act implementation.

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