



PPQ 2024 Annual Report

The Lacey Act:

Combating the Illegal Trade of Protected Plant Species

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Introduction

The U.S. Department of Agriculture’s Plant Protection and Quarantine (PPQ) program conducts activities related to the 2008 Farm Bill amendments to the Lacey Act, which prohibit the importation of any plants, with limited exceptions, that are taken or traded in violation of domestic or international laws. The Act requires a declaration for imported shipments of most plants or plant products. A 2012 study by the United Nations Environmental Programme estimated the value of illegal logging, including processing, to be between \$30 billion and \$100 billion, or from 10 to 30 percent of the global wood trade.

The Lacey Act amendments are designed to help combat this illegal logging by encouraging importers to research their supply chains and be aware of the laws governing products they purchase in other countries. PPQ’s role is to evaluate and implement existing regulations, provide guidance to importers regarding the required declaration, perform compliance checks, provide enforcement agencies with

declaration information to assist their investigations, and maintain declaration records.

Lacey Act Declarations

In fiscal year (FY) 2024, PPQ received approximately 2.7 million Lacey Act declarations electronically or on paper (the vast majority were received electronically through the U.S. Department of Homeland Security's Customs and Border Protection's [CBP] Automated Cargo Environment system). Since implementing the 2008 amendments to the Lacey Act, PPQ has added products to the declaration requirement/enforcement schedule in phases.

On May 31, 2024, APHIS published a notice in the Federal Register announcing that Phase 7, requiring the declaration for all remaining plant product Harmonized Tariff Schedule (HTS) codes that are not 100-percent composite materials, will be effective on December 1, 2024. Phase 7 covers several hundred HTS codes and includes items as varied as industrial or medicinal plants, furniture, handbags, plywood, laminated wood, tools, matches with natural wood stems, products of natural cork, products of bamboo and rattan, footwear, and more.

PPQ conducted extensive outreach with stakeholders and industry covered under Phase 7, including attending numerous trade events and webinars, and answered questions from more than 2,200 individuals in FY 2023 and FY 2024. APHIS received 11 comments on the products to be covered under Phase 7 of the enforcement plan during the public comment period, which ended on July 30, 2024. In response to the comments, APHIS published a Stakeholder Registry announcement on September 20, 2024, making adjustments for four specific HTS codes based on these public comments.

PPQ and its Federal partners (including other USDA agencies, U.S. Customs and Border Protection, the U.S. Department of Justice, and the U.S. Fish and Wildlife Service) continued to expand and improve Lacey Act compliance programs. In FY24, PPQ issued 204 Letters of Noncompliance to importers who submitted declarations with errors or inconsistencies to allow them to correct the issues. PPQ and its partners completed five surveys and one audit of importers with suspect import documentation. Letters of Noncompliance were issued to three of the companies. PPQ provided 31 reports of declaration data to multiple interagency law enforcement partners; data for regulatory counterparts in Cameroon, Peru, and Vietnam; and data to assist the implementation of the upcoming Convention on International Trade in Endangered Species protections for Ipe and Cumaru tree species.