



# Lacey Act



The giant panda is one of many animals on the IUCN Red List of Threatened Species due to deforestation.

## What is the Lacey Act?

First enacted in 1900, the Lacey Act combats trafficking of illegally taken wildlife, fish, or plants. The 2008 Farm Bill amended the Lacey Act and extended protections to a broader range of plants and plant products, making it unlawful to import certain products without an import declaration. The amendments focus on illegal logging and harvesting of wild plants, practices often linked to terrorist funding, political instability, deforestation, and unlawful trade.

## What should importers know?

When you import plant products or items that contain plant products, you must ensure that those plant products were legally harvested. The import declaration must contain the scientific name of the plant, the value of the importation, quantity of the plant, and the name of the country where the plant came from. We are currently enforcing the declaration requirement for commercial shipments only. Since 2009, APHIS has been phasing in the declaration requirement. To find out which plants and plant products require a

declaration, go to [www.aphis.usda.gov/planthealth/laceyact](http://www.aphis.usda.gov/planthealth/laceyact) and select Implementation Schedule.

The following plants and plant products do not require a Lacey Act declaration:

- Common cultivars, except trees
- Common food crops
- A scientific specimen of plant genetic material used only for laboratory or field research
- Any plant that is to remain planted or will be replanted
- Packaging material such as wood crating, wood pallets, cardboard boxes, and packing paper used as cushioning or support unless the packaging material itself is the item being imported
- The plant material in a product represents no more than 5 percent of the total weight of the individual product unit, provided the total weight of the plant material in an entry of products in the same 10-digit tariff provision does not exceed 2.9 kilograms

Plants and plant products protected under U.S. laws or international agreements, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Endangered Species Act, or any State law that provides for the conservation of indigenous species under threat of extinction must always be accompanied by a declaration if listed on the implementation schedule.

## How do I submit a declaration?

There are two ways to electronically file a declaration:

- **Automated Commercial Environment (ACE)** – The primary method for filing Lacey Act declarations is through ACE. Using this automated system, the trade community can electronically file the data required by U.S. Customs and Border Protection (CBP) and its partner Government agencies, including the APHIS Lacey Act Program. Learn more at [www.cbp.gov/trade/automated](http://www.cbp.gov/trade/automated).
- **Lacey Act Web Governance System (LAWGS)** – Alternatively, the trade community can file the Lacey Act declaration through LAWGS at [lawgs.aphis.usda.gov/lawgs/](http://lawgs.aphis.usda.gov/lawgs/). This is APHIS' web-based system for importers who would otherwise file a paper declaration. Importers who are using ACE to file customs information and LAWGS to submit a Lacey Act declaration, must indicate in ACE that they are filing their Lacey Act declaration through another method.

While we encourage importers to file electronically, they may also file a declaration through the mail. This option is offered primarily for small volume importers. To find the paper form and instructions, go to [www.aphis.usda.gov/planthealth/laceyact](http://www.aphis.usda.gov/planthealth/laceyact) and select Filing.

## Who enforces the Lacey Act?

The Lacey Act is administered by agencies of the Departments of Agriculture, Commerce, and Interior, including the Animal and Plant Health Inspection Service (APHIS), the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service (FWS).

APHIS' Plant Protection and Quarantine oversees the collection and enforcement of declarations for imported plants and plant products. APHIS is also responsible for defining the scope of plant materials requiring a declaration. FWS' Office of Law Enforcement regulates fish and wildlife and their parts or products, as well as plant provisions of the Act, and shares enforcement responsibilities with partner agencies.

Combatting the illegal harvest and trade of natural resources requires the efforts of several investigating and prosecuting agencies, including the U.S. Department of Justice, U.S. Department of Homeland Security, FWS, and USDA's Forest Service and APHIS, as well as collaboration with the Office of the U.S. Trade Representative, U.S. Agency for International Development, and the U.S. Department of State.

## More Information

To receive the latest information on APHIS' implementation of the Lacey Act declaration requirement, go to [www.aphis.usda.gov/planthealth/laceyact](http://www.aphis.usda.gov/planthealth/laceyact) (or scan the QR code) and click on Stay Connected to subscribe to our Stakeholder Registry.



For more information on which plants and plant products require a Lacey Act declaration, please contact APHIS Lacey Act program staff at [lacey.act.declaration@usda.gov](mailto:lacey.act.declaration@usda.gov).