

## Implementation Plan for Lacey Act Declaration Requirements Revised

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) has announced revisions to its plan to enforce the declaration requirement of the amended Lacey Act. Under the revised schedule, APHIS is extending the length of each enforcement period from three months to six months and is providing an affirmative list of products that fall within each phase of enforcement of the declaration requirement.

### Revised Phase-in Schedule:

- During Phase I of enforcement, December 15, 2008 – March 31, 2009, persons importing certain plants and plant products may voluntarily submit the declaration form to APHIS.
- During Phase II of enforcement, April 1, 2009 – September 30, 2009, declarations will be required for products that are minimally processed and/or of less complicated composition, such as wood in the rough and sheets for veneering.
- During Phase III of enforcement, October 1, 2009 – March 31, 2010, declarations will be required for products that are more processed and of more complex composition, such as wood pulp and particle board (in addition to products required under Phase II).
- Finally, during Phase IV of enforcement, April 1, 2010 – September 30, 2010, declarations will be required for more highly processed products composed of materials from Phases II and III, such as paper and furniture (in addition to products required under Phases II and III).

Declarations must contain, among other things, the scientific name of the plant, value of the importation, quantity of the plant and name of the country where the plant was harvested. For paper and paperboard products containing recycled content, the declaration also must include the average percent of recycled content without regard for species or country of harvest. A declaration is required only for the product itself, and not the sundries that ordinarily accompany the product (e.g., tags, labels, manuals and warranty cards).

It is important to note that while enforcement of the declaration requirement will be phased in beginning on April 1, 2009, the other Lacey Act amendments are already effective, and actions to enforce those provisions may be taken at any time.

The public is invited to comment on the revised schedule and other aspects of implementation on or before April 6, 2009. Additional details about declaration requirements, the current implementation schedule, and how to submit comments are published in the Federal Register, dated February 3, 2009.

**Link to:** [Federal Register](#)