

CUSTOMER ADVISORY

Lacey Act & Phase VII Implementation
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On December 1st, 2024, the Animal and Plant Health Inspection Service (APHIS) will be implementing Phase VII of the Lacey Act.

So, what does the Lacey Act cover or what are the items subject to the Lacey Act requirements? Quite simply, all plant-sourced products, with few exceptions, that are imported into the United States, are subject to the Lacey Act Amendments of 2008.

In preparation for this phase in December, the U.S. Customs and Border Protection's (CBP) Office of Trade and the United States Department of Agriculture (USDA) hosted a webinar on October 30th. During this webinar, they provided updates on the implementation of Phase VII of the Lacey Act, and discussed the new requirements that importers of these goods will have to follow. Lacey Act declarations will be required for **all** remaining plant product Harmonized Tariff Schedule (HTS) codes that **are not** 100-percent composite materials.

This includes a wide range of products, such as:



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- Industrial and medicinal plants
- Footwear
- Hand tools
- Plywood
- Laminated wood
- Purses
- Matches with natural wood stems
- Goods made of natural cork, bamboo, and rattan

This is not a conclusive list.

On May 31st, 2024, APHIS published a [Federal Register notice](#) regarding the Phase VII of the enforcement schedule, which begins on December 1st, 2024. On November 21st, 2024, APHIS advised that they would begin implementing an AL1 tariff flag on **approximately 450 HTS codes**, which will require a Lacey Act Import Declaration. Phase VII includes a wide variety of materials and plant products, such as furniture, cork, sporting goods, and some essential oils that have not yet required a declaration. If you import items that contain plant products, and you do not currently file a Lacey Act declaration, you will likely need to file one once Phase VII is implemented. Importers should become familiar with their supply chain and review what information will be needed to file the declaration, generally listed at: [Lacey Act Declaration Requirements](#).

For assistance in completing the declaration and complying with the Lacey Act requirements, you can contact the Lacey Act Team at email: lacey.act.declaration@usda.gov

Access the [FAQ](#) on this requirement for further details.

For consultation and assistance in complying with this program, you may also reach out to us at: customs_compliance_group@am.kwe.com