

# 2008 Lacey Act Amendments

**SFI Annual Conference  
Vancouver, B.C.  
September 22, 2010**

This presentation is not meant to represent in any way the views of the U.S. International Trade Commission or any of its individual Commissioners.



# Objectives

---

- Describe Background of Lacey Act
- Discuss Import Declaration (PPQ 505)
- Describe Implementation to Date
- Discuss Next Steps

# U.S. Efforts to Combat Illegal Logging and Associated Trade

---

- Promoting sustainable forest management and strengthening governance
- Raising awareness and building capacity through bilateral and multilateral efforts
- Promoting partnerships and collaboration among governments, the private sector, and NGOs
- Enhancing market transparency for trade in legal timber and timber products

# History of the Lacey Act

---

- Oldest wildlife protection statute in the U.S.
- Well-established tool to combat trafficking in illegal wildlife, fish and plants
- Amendments provide a tool to assist other countries and U.S. states in combating illegal logging

# Amended Lacey Act

---

- Expands Lacey protection to broader range of plants and products, including timber
- Introduces new declaration requirement for plant products
- Amendments were effective May 22, 2008; enforcement of the declaration requirement is being phased in

# Summary of Background

---

- The Lacey Act prohibits trafficking in illegally harvested plants and products, including timber
- Violators face serious penalties; penalties are based on the type of violation
- Requires U.S. importers to file a plant import declaration

# Interagency Committee

---

- ◉ Department of Agriculture [APHIS and USFS]
- ◉ Department of Justice
- ◉ U.S. Trade Representative
- ◉ Council on Environmental Quality
- ◉ Office of Management & Budget
- ◉ Department of Commerce
- ◉ Department of Homeland Security [CBP]
- ◉ Department of State [USAID]
- ◉ U.S. Fish & Wildlife Service
- ◉ U.S. International Trade Commission

# Implementation Process

---

- Outreach
- Design of PPQ 505
- Phased-in Enforcement
- Data Collection – APHIS & CBP
- Research, Discussion & Resolution of Issues
- Analysis/Study

# Import Declaration: PPQ 505

---

- Filed by U.S. Importer
  - Paper
  - Electronic
  - Blanket
- Seeks basic information about the shipment:
  - Scientific name (genus and species)
  - Value of importation
  - Quantity of the plant
  - Country of harvest
- [http://www.aphis.usda.gov/plant\\_health/lacey\\_act/index.shtml](http://www.aphis.usda.gov/plant_health/lacey_act/index.shtml)

# Coverage as of April 2010

---

- **All of Chapter 44 except:**

- 4405 , 4413 —wood flooring, densified wood
- 4410, 4411— composite wood panels
- 44129906 & 57—plywood with composite cores
- 4415—packaging & pallets

- Walking sticks, whips, crops [6602]

- Hand tools [8201]

- Pianos [9201] & Other stringed instruments [9202]

- Revolvers, pistols & parts & access. [9302 & 93051020]

- Seats with wood frames [940169]

- Articles and accessories for billiards [950420]

- Works of Art - Sculptures [9703]

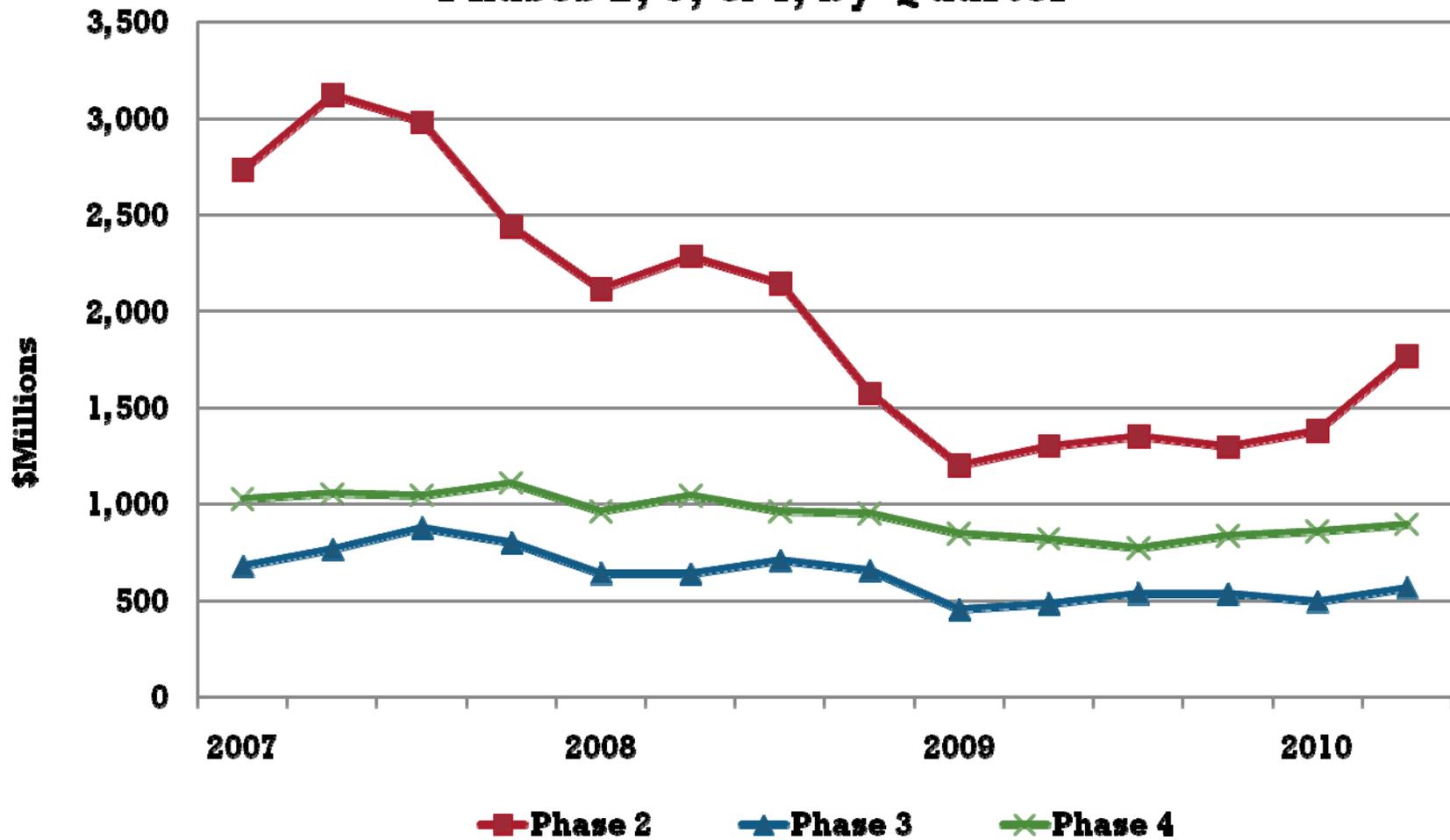
# Goods on Pending List

---

- Rest of Chapter 44
- Ch. 47 (wood pulp) – Headings 4701-05
- Ch. 48 (paper) – Headings 4801-11 (rest later?)
  - newsprint, un/coated, Kraft, composites, etc.
- Ch. 66 – Umbrellas & parts
- Ch. 92 – Wind Musical Instruments
- Ch. 94 – Wood Furniture, etc. (rest later?)
  
- Ch. 95 – Toys, Games, Sporting equipment
- Ch. 82 – Tools, Implements
- Ch. 89 – Ships & Boats
- Ch. 93 – Arms & Ammo
- Ch. 96 – Brooms, pencils & buttons

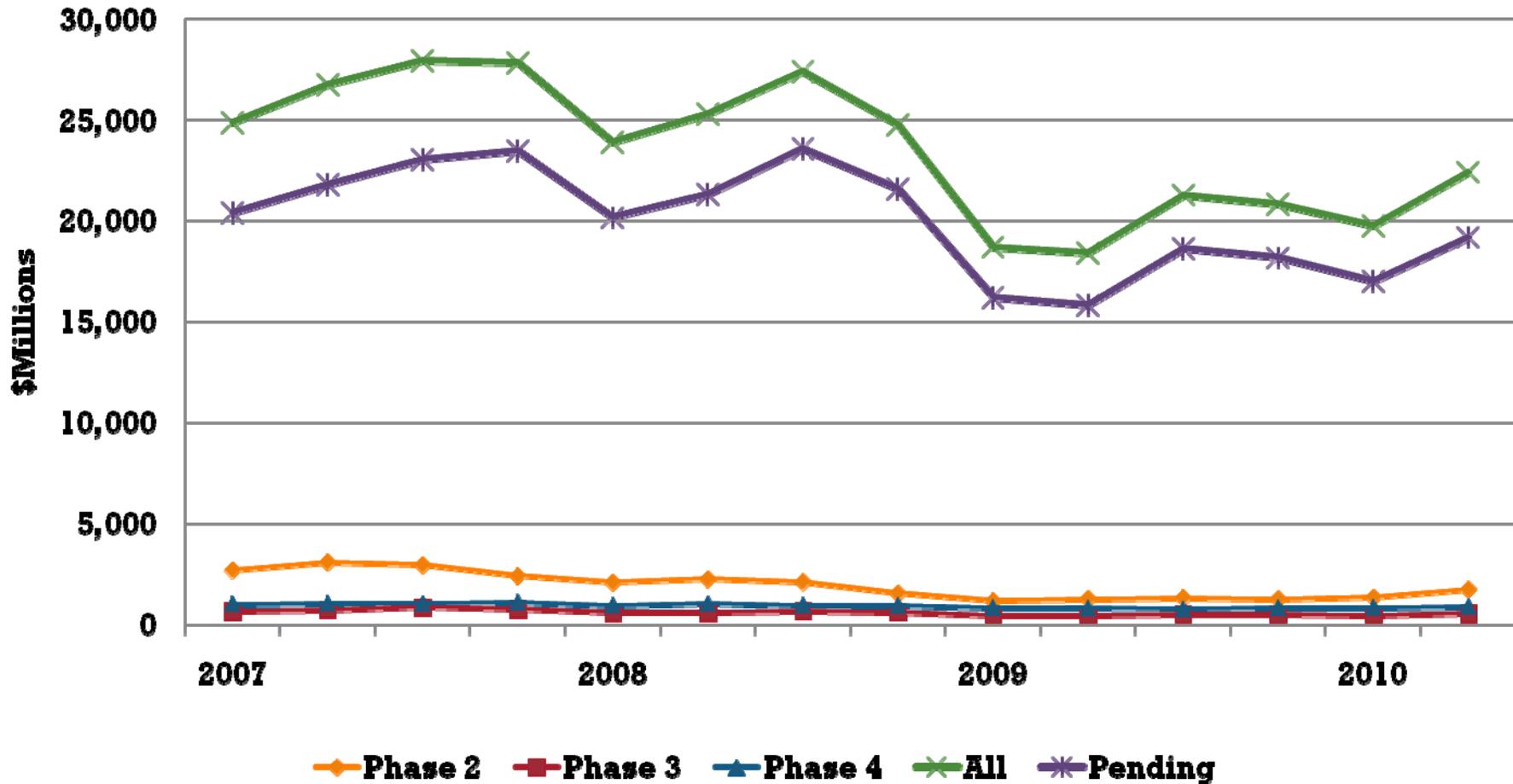
# Import Values, 2007-2010

## Phases 2, 3, & 4, by Quarter



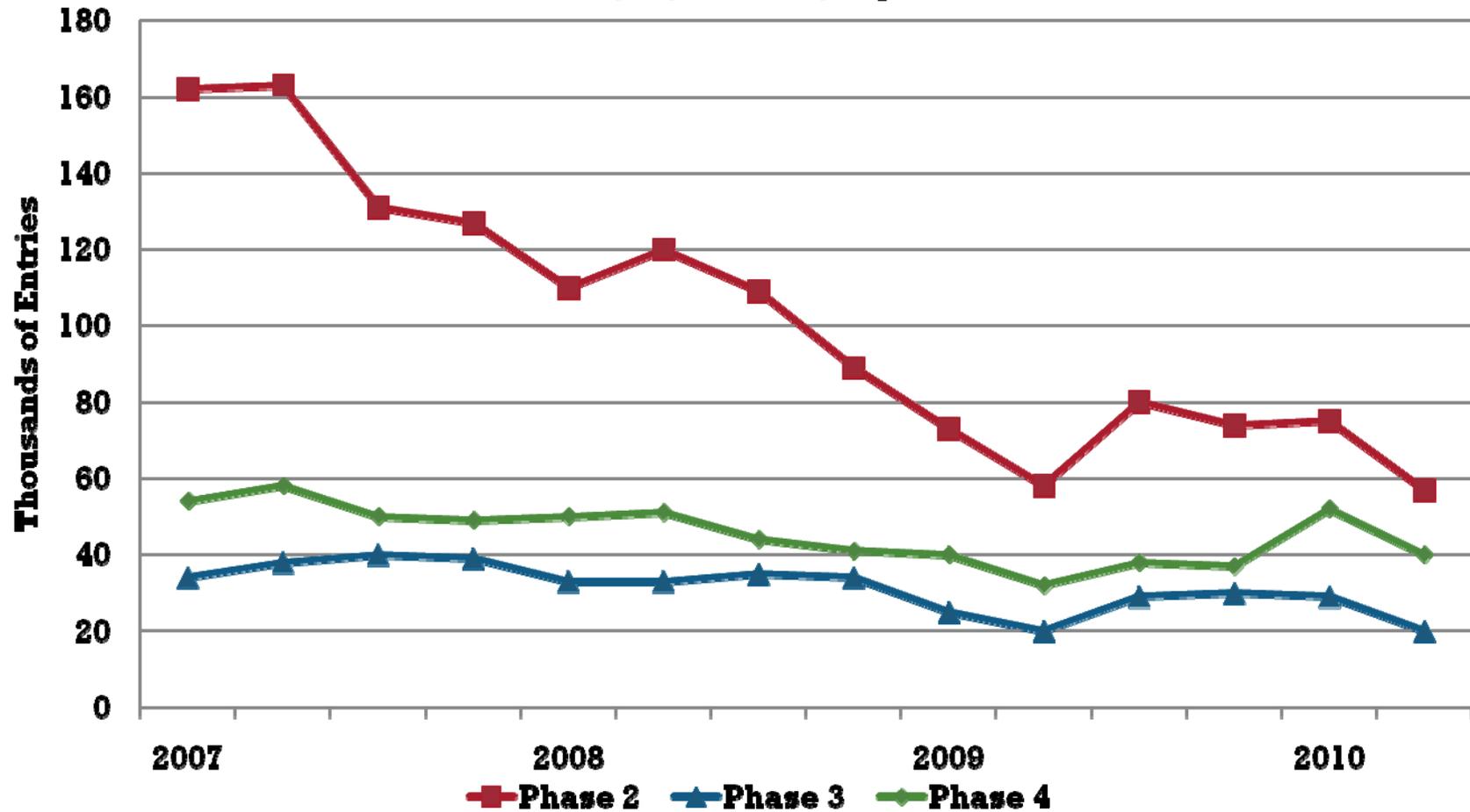
# Import Values, 2007-2010

## Phases 2, 3, 4, & Pending

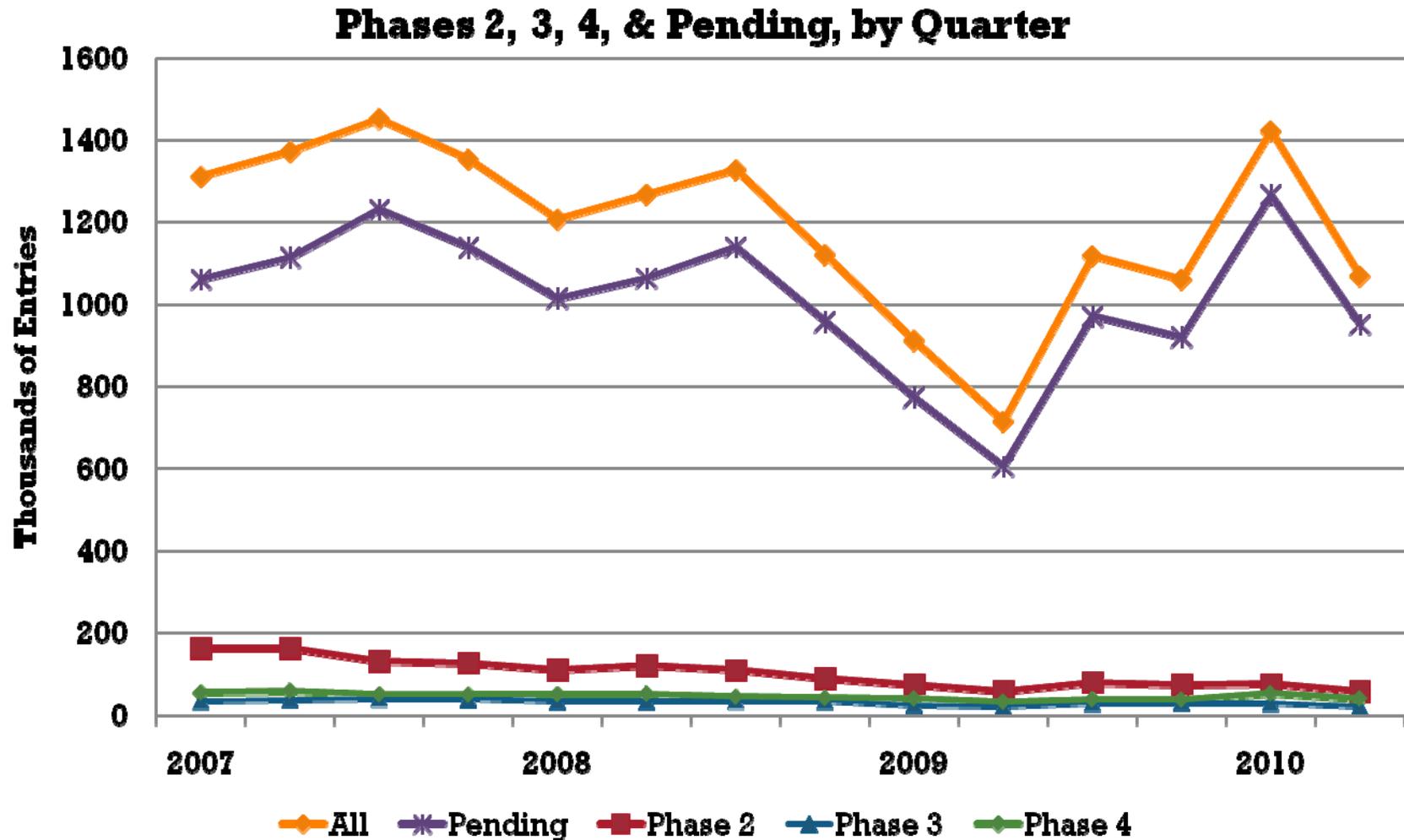


# Formal Entries, 2007-2010

## Phases 2, 3, and 4, by Quarter

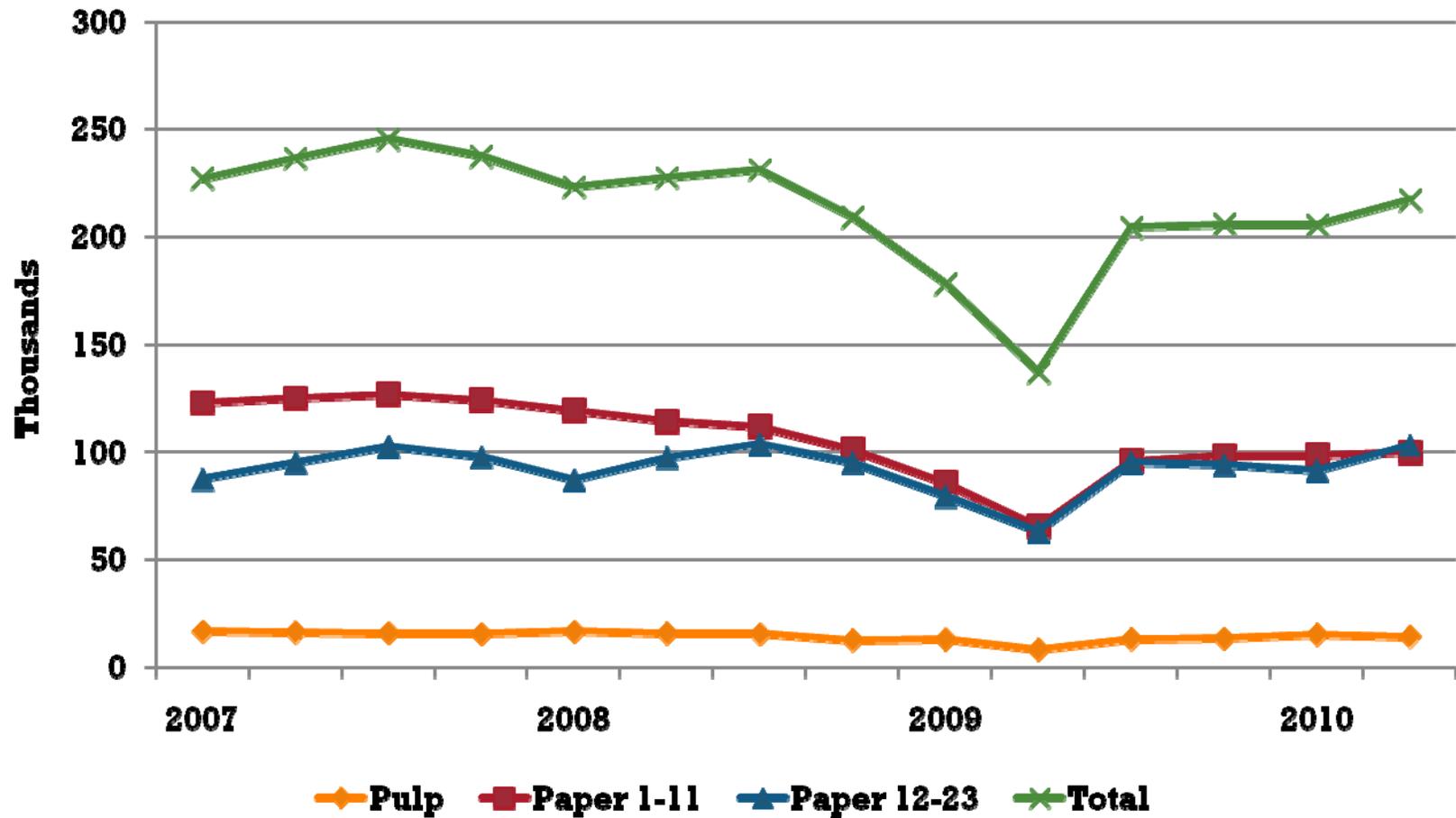


# Formal Entries, 2007-2010



# HTS Chapter 48: Paper in Next Phase?

**Formal Entries, 2007-2010, by Quarter**



# Next Steps

---

- Food Crop & Cultivar Exemption
- Technical Issues
  - Exclusions from PPQ 505 Requirement (“de minimis”)
  - Composites
  - Species Groupings
  - Quantity & Value
  - Date of Harvest/Manufacture
  - Recycled Content
- Future Phases – Schedule & Products
- Upcoming Report to Congress

# Thank You!

---

David L. Ingersoll  
Senior International Trade Analyst  
U.S. International Trade Commission  
500 E St, SW  
Washington, DC 20436

Phone: 202-205-2218

E-Mail: [dave.ingersoll@usitc.gov](mailto:dave.ingersoll@usitc.gov)

Website: [www.usitc.gov](http://www.usitc.gov)

