



**Animal and Plant Health Inspection Service (APHIS  
LACEY)  
Summary of the PGA Process for Filing in ACE**

**February 8, 2016  
Version 2.0**

**Animal and Plant Health Inspection Service (APHIS Lacey)**

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## **Animal and Plant Health Inspection Service (APHIS Lacey)**

### **1. Introduction**

The Lacey Act combats trafficking in “illegal” wildlife, fish, and plants. The 2008 Farm Bill (the Food, Conservation, and Energy Act of 2008), effective May 22, 2008, amended the Lacey Act by expanding its protection to a broader range of plants and plant products. The Lacey Act now, among other things, makes it unlawful to import certain plants and plant products without an import declaration. More and updated information can be found here on the APHIS Lacey site:

[https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/SA\\_Lacey\\_Act](https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/SA_Lacey_Act)

Under the Lacey Act, as amended, “Plant” means: “Any wild member of the plant kingdom, including roots, seeds, parts or product thereof, and including trees from either natural or planted forest stands.” There are some exclusions. Common cultivars (except trees) and common food crops are excluded from the definition of plant. In addition, a scientific specimen of plant genetic material that is to be used only for laboratory or field research and any plant that is to remain planted or to be planted or replanted is also excluded from the definition of plant, unless the plant is listed under the Endangered Species Act or a similar State law, or is listed in an appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

### **2. Commodities**

To identify products in ACE that they regulate, APHIS Lacey uses a flag on the HTSUS number that identifies the commodity as requiring submission of the PPQ-505 and supporting documents as a condition of entry. APHIS Lacey requirements are established by the programs that they administer. Since the document submission is a condition of entry, ACE will reject any entry for one of the flagged HTSUS codes that is missing the required PGA message set.

All APHIS Lacey regulated commodities are accepted for ACE filings.

<b>Commodity Type</b>	<b>HTS Code</b>
Fuel wood	4401
Wood charcoal	4402
Wood in the rough	4403
Hoopwood; poles, piles, stakes	4404
Railway or tramway sleepers	4406
Wood sawn or chipped lengthwise	4407
Sheets for veneering	4408
Wood continuously shaped	4409
Plywood, veneered panels	4412, Except 44129906 and 44129957
Wooden frames	4414
New casks, barrels, and parts of wood	4416003010
Used assembled casks of wood	4416003020
Used unassembled casks of wood	4416003030
New barrel staves of wood	4416006010
New barrel hoops of softwood	4416006020
New tight barrelheads of wood	4416006030
Used barrels staves of softwood	4416006040

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<b>Commodity Type</b>	<b>HTS Code</b>
Used hoops, tight barrelheads of softwood	4416006050
New other casks, barrels, wood	4416009020
Used other cooper goods, wood	4416009040
Tools, tool handles, broom handles	4417
Builders' joinery and carpentry of wood	4418
Tableware & kitchenware of wood	4419
Wood marquetry, caskets, statuettes	4420
Other articles of wood	4421
Walking sticks, whips, crops	6602
Hand tools	8201
Hunting knives with wood handles	8211926000
Table barbeque forks with wood handles	8215992400
Pianos	9201
Other stringed instruments	9202
Revolvers and pistols	9302
Parts and accessories for revolvers and pistols	93051020
Seats with wood frames	940169
Upholstered teak chair, household	9401612010
Upholstered teak chair, other	9401612030
Parts of bent-wood seats	9401901500
Bent-wood office furniture	9403304000
Bent-wood kitchen furniture	9403404000
Bent-wood bedroom furniture	9403504000
Other bent-wood furniture	9403604000
Articles and accessories for billiards	950420
Rough wood blocks for smoking pipe manufacture	9614002100
Sculptures	9703

**3. Forms / Documents**

Please use the table below to identify the forms or documents that will be transitioning to electronic submission, and which will be tested operationally for the first time as a part of this pilot:

<b>Form</b>	<b>Form Description</b>	<b>Collected Using the PGA Message Set</b>	<b>Using DIS</b>	<b>CFR Citation for applicable regulations</b>
APHIS PPQ-505	Lacey Act Data	Yes (being programmed in PGA MS)	No	7 CFR 16 U.S.C. 3372

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### **4. Downtime Procedures**

CBP has established SOPs to address the continuity of operations in the event of a system outage, and decisions on implementing SOPs during an outage consider projected system downtimes. ACE maintains data redundancy. It buffers all messages sent to the trade and has the capacity to resend any message that failed delivery due to a system outage on either side. The delivery status of each message is also retained for audit and recovery purposes. Transmission of data buffered during the outage can be initiated to bring the systems back in sync.

The ability of the system to support operations despite an outage depends on the extent of the outage within the various components of the system. In the case of a fatal crash, plans are in place to allow inter-agency operations via manual means of communication such as e-mail and phone calls until system capabilities are restored.

### **5. Filing of APHIS Lacey PGA Data:**

A broker submits entry data via ACE for cargo release (it is encouraged that the filer submits the entry data as early as possible in order to prevent unnecessary holds at arrival). The APHIS Lacey business rules are located here: <http://www.cbp.gov/document/guidance/aphis-pga-message-set-adapted-data-element-record-layout>

1. If the PGA information submitted is free of syntax errors, ACE will process the data for cargo release. If there are errors missing and/or incomplete data, the entry will be rejected, thus no entry number will generate that is associated to the action.
2. If the entry cannot be submitted because of syntax errors, ACE will send out the appropriate notification (see IG) reflecting the status and error. Please note that it is the responsibility of the filer to make corrections or contact APHIS Lacey directly to resolve the matter. ACE does not automatically notify APHIS Lacey of discrepancies within the submitted data.
3. Should the entry submission be free of all syntax errors and pass all business rules, the filer will get an automatic may proceed message which informs the filer that APHIS Lacey is releasing the goods.
4. If the PGA message set is filed correctly ACE will generate a May Proceed on behalf of the APHIS to the filer and send the appropriate CBP notification regarding entry status to the filer. Should there be no other unreleased PGA (including CBP) requirements for the entry, ACE will automatically generate a IUSG message to the filer.

ACE Cargo Release Glossary of Terms are internally located at the ACE Central site.

Lacey data can also be filed directly with APHIS via paper or Lacey Act Web Governance System (LAWGS): <https://lawgs.aphis.usda.gov/lawgs/>

**Filing APHIS Lacey Data for FTZ (entry type 06) weekly estimated entries-** For Type 06 (FTZ) weekly estimated entries, the APHIS Lacey PGA data may be submitted with the entry summary instead of with the estimated entry

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**6. Points of Contact**

The table below provides contact information for FDA personnel who will be coordinating the pilot activities with CBP.

<i>Role</i>	<i>Point Of Contact</i>	<i>Responsibilities</i>
<b>APHIS LACEY IT/Development / Operational POC:</b>	<p>Pamela Bennett 301-851-3481 Pamela.d.bennett@aphis.usda.gov</p> <p>Robert Baca 301-851-2292 Robert.M.Baca@aphis.usda.gov</p>	<ul style="list-style-type: none"> <li>• Provides APHIS LACEY business subject matter expertise relating to the APHIS LACEY/ ACE pilot efforts.</li> <li>• Provides technical support for APHIS LACEY integration with CBP's ACE system</li> <li>• Coordinates development, technical issue investigation, and resolution during pilot.</li> <li>• Provides training on APHIS LACEY / ACE Pilot.</li> </ul>
	<p>Parul Patel 301-851-2351 <a href="mailto:Parul.R.Patel@aphis.usda.gov">Parul.R.Patel@aphis.usda.gov</a></p>	<ul style="list-style-type: none"> <li>• Initiates/coordinates review and communication of APHIS Lacey pilot policies and their integration with CBP's ACE system</li> </ul>
<b>Client Representatives</b>		<ul style="list-style-type: none"> <li>• Act as primary point of contact for Trade for all cargo system processing</li> </ul>