APHIS READINESS UPDATE
Automated Commercial Environment

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Animal and Plant Health Inspection Service

Objectives

- APHIS Lacey Act Pilot
- Trade Responsibilities
- Information Submissions
- Impact
- Lessons Learned
- Questions

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Benefits of Piloting

- ✓ Opportunity to troubleshoot your own processes
- ✓ Provide PGAs your input, suggestions for improvements
- ✓ Ensure import/filer is trained via initial experience
- ✓ Complete testing in advance of full implementation
- ✓ Work directly with PGA and CBP officials

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Requirements for APHIS Core Pilot

- ✓ Software containing the APHIS Message Set must be built and certified by CBP.
- ✓ If you are importing a commodity subject to the FDA Prior Notice Rule, your software for Prior Notice must also be built and certified.
- ✓ You will need to contact your CBP client representative to ensure that you are fully vetted for submission of entry and entry summaries in ACE.
- ✓ If those two steps have been successfully completed, you will then need to have your CBP client representative register you in the ACE CERT environment.

Requirements for APHIS Core Pilot Con't

- ✓ You will then need to submit data through CERT to ensure that all coding and transmission issues have been identified and mitigated.

- ✓ For the APHIS Lacey Act Program, we need to know the entry numbers and the port locations

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Disclaimer Codes

Disclaimer codes are used to tell Lacey about the entry.

A. Not a Lacey Product

The HTS Code is very broad, such as 9201, pianos

A Cast Iron Piano is an "A" disclaimer

B. Not Enforced by Lacey

The HTS Code is wood, but Lacey does not yet enforce it

Paper currently is not enforced, it would have "B"

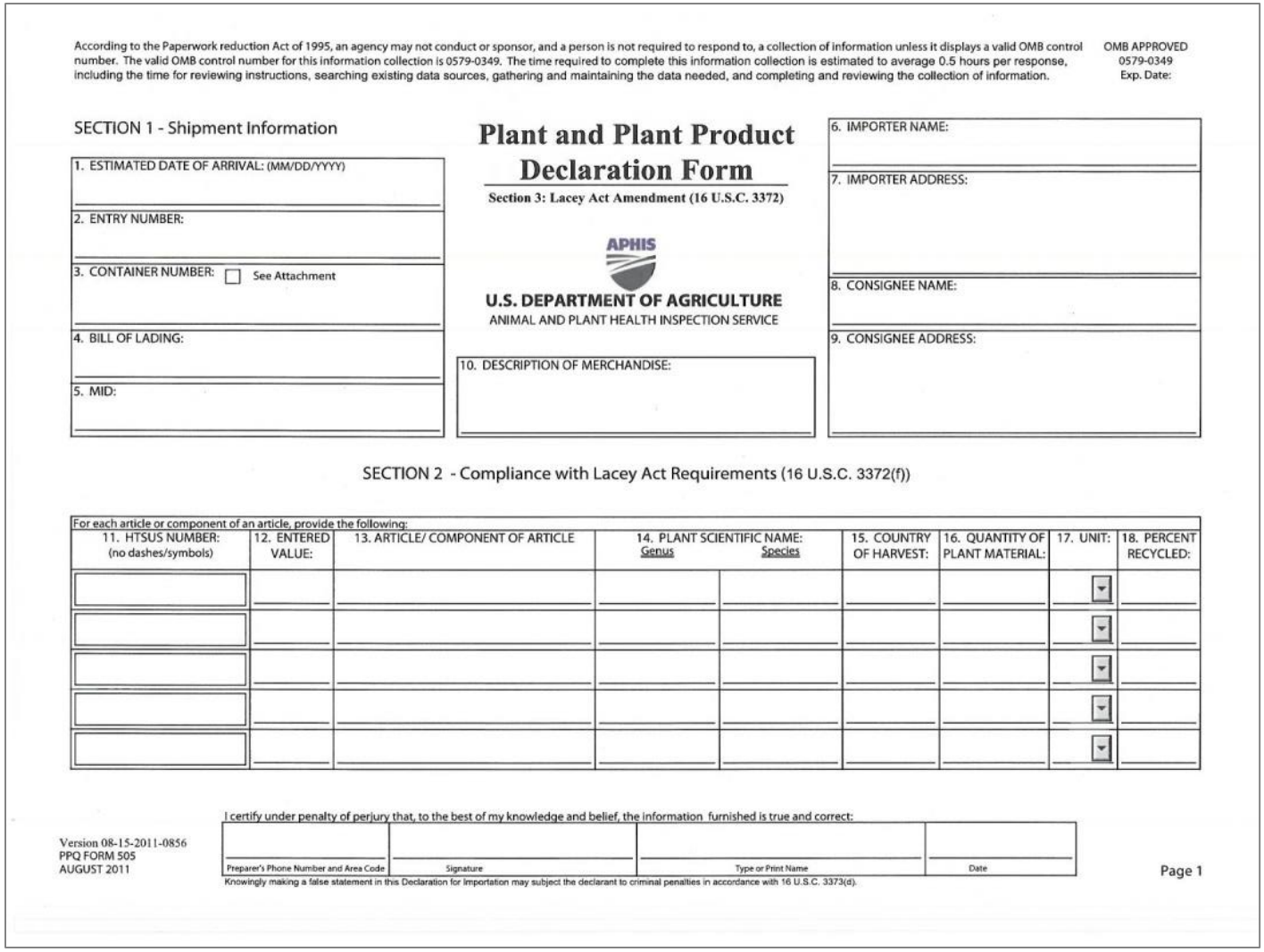
C. The importer uses APHIS LAWGS to file entries

The entry would use the "C" disclaimer

D. The importer files the entry using the PPQ Form 505/505b and mails it directly to USDA APHIS Lacey Act

The entry would use the "D" disclaimer

Declaration for Lacey Act



According to the Paperwork reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0349. The time required to complete this information collection is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OMB APPROVED
0579-0349
Exp. Date:

SECTION 1 - Shipment Information

Plant and Plant Product Declaration Form

Section 3: Lacey Act Amendment (16 U.S.C. 3372)

APHIS

U.S. DEPARTMENT OF AGRICULTURE

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

1. ESTIMATED DATE OF ARRIVAL: (MM/DD/YYYY)
2. ENTRY NUMBER:
3. CONTAINER NUMBER: ☐ See Attachment
4. BILL OF LADING:
5. MID:
6. IMPORTER NAME:
7. IMPORTER ADDRESS:
8. CONSIGNEE NAME:
9. CONSIGNEE ADDRESS:
10. DESCRIPTION OF MERCHANDISE:

SECTION 2 - Compliance with Lacey Act Requirements (16 U.S.C. 3372(f))

For each article or component of an article, provide the following:

11. HTSUS NUMBER: (no dashes/symbols)	12. ENTERED VALUE:	13. ARTICLE/ COMPONENT OF ARTICLE	14. PLANT SCIENTIFIC NAME: Genus	Species	15. COUNTRY OF HARVEST:	16. QUANTITY OF PLANT MATERIAL:	17. UNIT:	18. PERCENT RECYCLED:

I certify under penalty of perjury that, to the best of my knowledge and belief, the information furnished is true and correct:

Preparer's Phone Number and Area Code	Signature	Type or Print Name	Date

Knowingly making a false statement in this Declaration for importation may subject the declarant to criminal penalties in accordance with 16 U.S.C. 3373(d).

Version 08-15-2011-0856
PPQ FORM 505
AUGUST 2011

Page 1

ACE Lacey Message Set

- The Lacey Act Message Set Implementation Guide for ACE is available on the CBP ACE Website: http://www.cbp.gov/trade/automated

- The Implementation Guide is accompanied by Lacey Act Samples

- PGA Message Set Changes

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What changes will industry see?

Impact	Procedure	Programming	Support
For trade/industry, much of the information required in ACS is now required in ACE and will be mandatory February 28, 2016	Customs brokers (including Express Couriers) must operate in the new "Single Window" environment using ACE	Software vendors must adhere to CBP and APHIS guidelines	CBP & APHIS are working with trade to ensure understanding of ACE system requirements

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Lesson Learned (Lacey Act Program)

- ✓ Ensure all participants are using current message set
- ✓ Engage CBP client representative(s) and the PGA
- ✓ Add complexities to test system capacity (e.g. multi-commodity/agency filings)
- ✓ Anticipate filer rush in early Jan. 2016 (based on filer comments)
- ✓ Some areas delaying shipment release
  - Input error
  - Importer failed to file Lacey Act declaration info listed HTS code
  - Server issues (vendor, PGA, or CBP)

Lesson Learned (Lacey Act Program)

- ✓ The Lacey Act Program requires at least one successful entry submission before agreeing with CBP on independent filing, in which case the filer must provide CBP client reps and the PGA with the entry number for each entry filed independently
- ✓ Pilot early and pilot often! Test your system fully!
- ✓ Encourage large data inputs to fully test systems
- ✓ ACE becomes mandatory for Lacey filings February 28, 2016

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ACS Ends February 27, 2016

ACE Lacey Pilot Started October 2, 2015

The large importers are using ACE today

Pilot as soon as you can – avoid the rush

QUESTION?

COMMENT?

CONCERN?

We Want to Hear it!

APHIS Lacey Act webpage
www.aphis.usda.gov/plant_health/lacey_act

Lacey Act Web Governance System (LAWGS)
https://lawgs.aphis.usda.gov/lawgs/