

# APHIS READINESS UPDATE

## Automated Commercial Environment



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A vertical list of six objectives, each preceded by a grey circular icon with a blue outline. The icons are connected by a thin blue line that zig-zags between them. The objectives are: APHIS Lacey Act Pilot, Trade Responsibilities, Information Submissions, Impact, Lessons Learned, and Questions.

**APHIS Lacey Act Pilot**

**Trade Responsibilities**

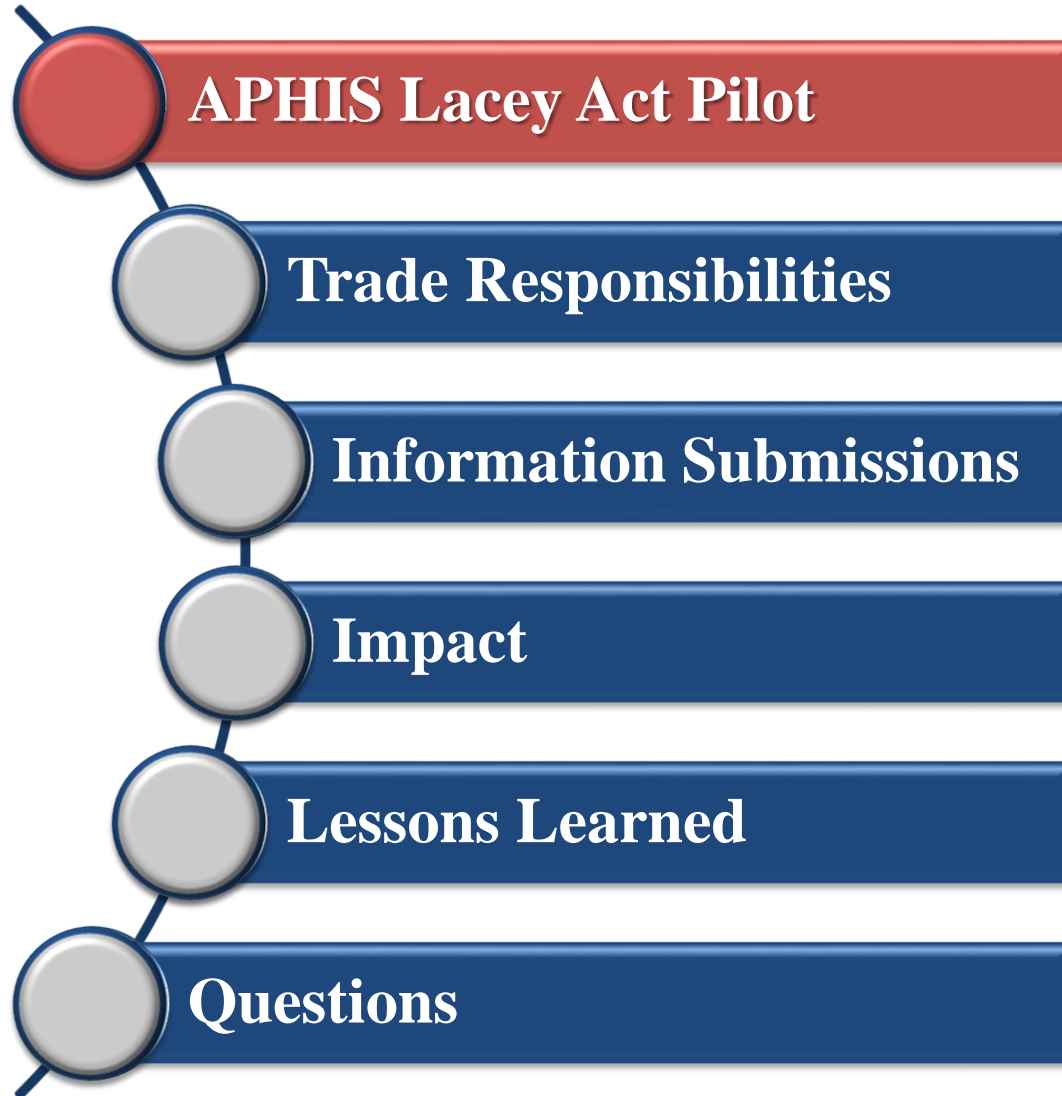
**Information Submissions**

**Impact**

**Lessons Learned**

**Questions**





# 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



APHIS Lacey Act Pilot

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Information Submissions

Impact

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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.



- ✓ 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



A vertical timeline diagram on the left side of the slide. It consists of a vertical line with six circular nodes. The nodes are connected by a line that zig-zags between them. The nodes are colored: the top, second, fourth, fifth, and sixth nodes are grey, while the third node is red. Each node is connected to a horizontal bar on the right. The bars are blue for the first, second, fourth, fifth, and sixth nodes, and red for the third node. The text on the bars is white.

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**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

|  |
|--|
| 1. ESTIMATED DATE OF ARRIVAL: (MM/DD/YYYY)                   |
| 2. ENTRY NUMBER:   |
| 3. CONTAINER NUMBER: <input type="checkbox"/> See Attachment |
| 4. BILL OF LADING:   |
| 5. MID:  |

## Plant and Plant Product Declaration Form

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








**U.S. DEPARTMENT OF AGRICULTURE**  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

10. DESCRIPTION OF MERCHANDISE:

|                       |
|-----------------------|
| 6. IMPORTER NAME:     |
| 7. IMPORTER ADDRESS:  |
| 8. CONSIGNEE NAME:    |
| 9. CONSIGNEE ADDRESS: |

## 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:<br>(no dashes/symbols)                            | 12. ENTERED<br>VALUE: | 13. ARTICLE/ COMPONENT OF ARTICLE | 14. PLANT SCIENTIFIC NAME:<br><u>Genus</u><br><u>Species</u> |  | 15. COUNTRY<br>OF HARVEST: | 16. QUANTITY OF<br>PLANT MATERIAL: | 17. UNIT:   | 18. PERCENT<br>RECYCLED: |
|   |                       |                                   |  |  |                            |                                    |    |                          |
|   |                       |                                   |  |  |                            |                                    |   |                          |
|   |                       |                                   |  |  |                            |                                    |  |                          |
|   |                       |                                   |  |  |                            |                                    |  |                          |
|   |                       |                                   |  |  |                            |                                    |  |                          |

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

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).

## 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

A vertical timeline diagram on the left side of the slide. It consists of a central vertical line with six circular nodes. Each node is connected to a horizontal bar. The bars are dark blue, except for the third bar from the top, which is red. The text on the bars is white. The nodes are represented by grey circles with a dark blue outline.

**APHIS Lacey Act Pilot**

**Trade Responsibilities**

**Information Submissions**

**Impact**

**Lessons Learned**

**Questions**



# 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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- ✓ 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





A vertical list of six objectives, each preceded by a circular icon. The icons are connected by a thin line. The first five icons are grey, and the last one is red. The text is in a serif font.

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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](http://www.aphis.usda.gov/plant_health/lacey_act)

Lacey Act Web Governance System (LAWGS)

<https://lawgs.aphis.usda.gov/lawgs/>

