

Lacey Act Plant Declaration Enforcement Begins May 1st Electronic Filing with NGJ Express

Beginning May 1, 2009, U.S. Customs and Border Protection (CBP) will begin enforcing the plant declaration requirement of the Lacey Act. The initial enforcement will affect the products included in Phase II of the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) phased implementation schedule. Enforcement of the declaration requirement on products included in the two subsequent phases (Phases III & IV) will take effect over the next several months.

CBP and Norman G. Jensen, Inc. (NGJ) urge importers to file the plant declaration, when applicable, to APHIS electronically, rather than by mail. Electronic filing will allow for the required information to be received by APHIS prior to the goods arriving at the border, which will minimize delays of the shipment. APHIS has stated that they prefer to have the electronic filing over the paper PPQ 505 form. Because of the condition of release requirement, APHIS has indicated that the electronic filing of the PPQ 505 form may become mandatory at some point.

Electronic filing of the plant declaration can be made via EDI through the NGJ Express software application, much the same way that many importers submit proforma invoices, etc. through NGJ Express. If you would like to see how these automated processes can ease your document preparation, please send an e-mail pesupport@ngjensen.com, or call your local NGJ account representative.

Fees charged by NGJ for use of the NGJ Express software application for submitting the information required by the Lacey Act may vary depending on whether the merchandise shipped is also subject to the Softwood Lumber Agreement of 2006 (SLA). Please call your NGJ account representative for more information about applicable fees for filing electronically via NGJ Express, or send an e-mail to compliance.us@ngjensen.com.

The *NGJ International Trade Update* provides information obtained from third parties, primarily government, and advice based on that information. Norman G. Jensen Inc. (NGJ) has not verified the accuracy of the information nor is it capable of verifying the accuracy of the information. As a consequence, NGJ will not be liable for injury suffered as a result of reliance on the information or the recommendations provided in the *NGJ International Trade Update*.

If you have questions, no longer wish to receive these notices via fax, or wish to receive these notices via e-mail, contact NGJ's Trade/Compliance Services Department at: compliance.us@ngjensen.com

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Norman G. Jensen, Inc. is a validated participant in the Customs-Trade Partnership Against Terrorism (C-TPAT).