Common Cultivars and Common Food Crops

Last Modified:

Commodities that are derived from common cultivars (except trees) and common food crops, including those listed in the below table, are excluded from the requirements of the Lacey Act and you can use a disclaimer. Plants and plant parts must meet all other regulatory requirements for importation into the United States. This list of common cultivars and common food crops is intended to be illustrative, not exhaustive.

Wild specimens of any taxa on this list are not “common cultivars” or “common food crops.” The commodities covered by these exclusions must be raised, grown, or cultivated as described in the definitions of “common cultivars” and “common food crops” provided in 7 CFR Part 357.2. Taxa covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Endangered Species Act (ESA) of 1973, or pursuant to any State law that provides for the conservation of species that are indigenous to the State and are threatened with extinction, are not “common cultivars” or “common food crops.”

The following table will be updated periodically to reflect stakeholder requests for inclusion (per Federal Register Docket Number APHIS-2009-0018), taxonomic changes, or correction of errors.

Commodity Type lists commodities alphabetically by common name; some entries are listed by genus when no single common name is sufficient.

Genus lists the genus—unless otherwise noted, a genus followed by “spp.” indicates that all species within that genus are considered “common food crops” and/or “common cultivars” with the exception of species listed under CITES, ESA, or State conservation laws.

Exempted Parts indicates the plant parts covered by the exclusion. For example, apples are considered a common food crop, but wood from an apple tree is not. In some cases, the parts covered by the exclusion are broader than the commodity listed in the "Commodity Type." This is intentional, and parts listed in "Exempted Parts" supersede the commodity listed in "Commodity Type" for exclusion purposes.

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