



National Consensus Lacey Due Care Standard Unanimously Approved

Wash., D.C., May 22, 2012. The Lacey Due Care Standard was unanimously approved following a successful national consensus ballot vote. The Standard provides the road map for enhancing Lacey Act effectiveness through defined best practices and increased global capacity for purchasing legal forest products for companies certifying compliance of Due Care. Lacey makes it a crime to sell, possess, or transport illegally logged wood and paper products violating any law globally.

No other standard or process meet Lacey's express mandate to protect the global forest environment from illegal logging and deforestation including stopping forest conversion and fragmentation that undermine countless forest ecosystems and expedite dangerous climate change. The Standard provides the economic, social and environmental properties meeting Lacey's requirement for legal and responsible forest products in the United States of America, and its forest certification requirements are met by 60% of US forests due to documented low risk.

The Standard is expected to reduce market confusion for Lacey Act compliance since it clearly and transparently defines the steps identifying legal forest products throughout the global forest product supply chain through risk, compliance and legal audits and forest certification, providing companies with needed certainty of doing business globally particularly in tropical forest markets of Africa, Asia and South and Central America.

The Standard is governed and designed by environmental and industry leaders and critical stakeholders in the global forest product trade and conservation sectors. Like the LEED consensus standard for green buildings, this leadership Lacey National Consensus Standard specifies the highest level of due diligence for companies, governments and individuals involved with forest products globally and importing and manufacturing in the US.

Based on repeated statements by the United States Justice and Agriculture Departments that an industry standard provides an important measure of due care, the Standard constitutes a legal opinion and provides Lacey Act defenses to strict criminal liability including Due Care, Innocent Owner, seizure, forfeiture, and retroactivity by identifying the law and best global practices.

Completing a successful public certification of compliance to the Standard through steps that are practical and cost effective for small, medium and large companies, means their wood and paper products are lawfully possessed and not contraband subject to seizure and forfeiture and accompanying brand destruction.

The Standard's Mandatory Annex identifies the law showing that the statute is not retroactive. Thus owners of wood and paper products harvested prior to the 2008 Lacey enactment date, including musical instruments, furniture, and antiques, are not subject to Lacey liability where a bona fide declaration is filed.

The Standard was developed to comply with the Public Framework of the Leadership Standards Campaign led by the National Wildlife Federation, Sierra Club, Corporate Responsibility Association, Perkins+Will and Eaton: precautionary principle approach, best in class for protection and enhancement of public health and environment, rules against industry trade association excessive influence while encouraging their participation, consensus, transparent, minimum thresholds for meaningful improvements to in field performance by measurable and verifiable multiple attributes, and standard development organization benefiting the public welfare as a 501(c)(3) nonprofit.

Among those voting Affirmative for the Standard as part of its unanimous approval were Anderson also representing the National Wood Flooring Association, Columbia Forest Products, Floor Covering Institute, ForestBased Solutions, Gibson, Jason Grant Consulting, Kimberly-Clark, Knoll, Martin also representing the National Association of Music Merchants, National Wildlife Federation, Rainforest Alliance, Staples, Scientific Certification Systems, Sustainable Furnishings Council. Environmental groups' letters of support for the Standard from Forest Ethics, Forest Stewardship Council, National Wildlife Federation, and Rainforest Alliance. are at www.laceycare.com.