



The California Fashion Association (CFA) is focused on building a knowledge base to identify and meet the needs of the various constituents of the industry.

June 24, 2022



GT GreenbergTraurig

June 28th Webinar

Uyghur Forced Labor Prevention Act UFLPA Takes Effect: What Importers Need to Know

The Uyghur Forced Labor Prevention Act (UFLPA) is in effect as of June 21, 2022.

The Act serves to increase enforcement of U.S. policy prohibiting the importation of goods, or components thereof, made with forced labor and to create a “rebuttable presumption” that merchandise from the Xinjiang Uyghur Autonomous Region (XUAR) or by an entity on the UFLPA Entity List is made with forced labor and thereby prohibited from entry into the U.S.

The rebuttable presumption applies to downstream products regardless of where the finished products are manufactured, including from third countries.

Any prohibited content, no matter how small, will be subject to the rebuttable presumption. The UFLPA provides for increased detentions and seizures of merchandise and potential civil and criminal penalties. A list of high priority sectors includes apparel and textiles, cotton, cotton products, polysilicon, footwear...

Questions:

What is “clear and convincing” evidence that the goods were not produced by forced labor?

- What about the *de minimis* ruling as it applies to online packages?
- Who determines the ‘assessment of risk’?
- What is the *Entity List* and the *Enforcement Strategy* document

Supply chain tracing is the general method to demonstrate that goods are free of inputs from Xinjiang, but the CBP expects that barriers to supply chain tracing can make it difficult for importers to be compliant and has stated that third-party audits alone are insufficient to demonstrate due diligence.

Importers may wish to plan for contingencies should CBP detain imported merchandise, map complex supply chains and review purchase agreements and supplier codes of conduct.

Join the experts at Greenberg Traurig for the June 28th webinar on the UFLPA.

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For more information, please contact:
Laura Siegel Rabinowitz | rabinowitzl@gtlaw.com

California Fashion Association

578 Washington Blvd., Suite 827, Marina Del Rey, CA 90292 | Tel: 213 688 6288
email: info@calfashion.org | Website: www.californiafashionassociation.org



California Fashion Association | 578 Washington Blvd., Suite 827, Marina Del Rey, CA 90292

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