CBP Forced Labor Enforcement Operational Guidance for Importers

CBP强迫劳动执法操作指南(供)进口商

本译本由机器翻译生成，供快速理解条文与内部培训使用；
涉及合规判断或法律适用时，请咨询专业顾问，并以官方英文文本为准。
翻译您自己的文件，请选择桐鸾译馆 · https://www.ivyivy.com.cn
扫码关注服务号

Table of Contents

Introduction 4
What is Forced Labor? 4
Due Diligence: Proactively Preventing Forced Labor in Supply Chains 5
CBP Offices Involved in Forced Labor Enforcement 6
Forced Labor Division (FLD) 6
Ports of Entry (POEs) 6
Centers of Excellence and Expertise (Centers) 6
The Customs Trade Partnership Against Terrorism (CTPAT) 7
Benefits of CTPAT Trade Compliance Partnership for Forced Labor Reviews: 7
Forced Labor Enforcement Processes 9
UFLPA (P.L. 117-78) 9
CAATSA (22 U.S.C. § 9241a) 10
WROs and Findings (19 U.S.C. § 1307, 19 C.F.R. §§ 12.42-12.44) 10
The Importation Process and Enforcement of the UFLPA 11
The UFLPA Potential Input Process 11
The UFLPA Direct Input Process 20
What is a UFLPA Exclusion? 21
The Importation Process and Enforcement of CAATSA 23
The CAATSA Enforcement Process 23
The Forced Labor Enforcement Review Process 26
WROs 26
Findings 29
Summary of the Forced Labor Enforcement Processes 32
Prior Disclosure and Redelivery: What Happens If I Find Forced Labor Goods in Imported Products? 38
Prior Disclosure 38
Redelivery 38
Conclusion 39

目录

引言 4
什么是强迫劳动? 4
尽职调查：主动防范供应链中的强迫劳动 5
参与强迫劳动执法的CBP办公室 6
强迫劳动处(FLD) 6
入境口岸(POEs) 6
卓越中心与专业中心(中心) 6
海关-商界反恐伙伴计划(CTPAT) 7
加入CTPAT贸易合规伙伴关系对强迫劳动审查的益处： 7
强迫劳动执法流程 9
UFLPA（公法117-78） 9
CAATSA(22 U.S.C.9241a) 10 11
暂扣令与认定(19 U.S.C.1307,19 C.F.R.12.42-12.44) ..... 10 进口流程与《维吾尔强迫劳动预防法》的执法
UFLPA潜在投入流程 11
UFLPA 直接输入流程 20
什么是UFLPA排除? 21
《以制裁反击美国敌人法》的进口流程与执法 23
CAATSA执法流程 23
强迫劳动执法审查流程 26
暂扣令 26
认定 29
强迫劳动执法流程概述 32
事前披露与退还：如我在进口货物中发现强迫劳动商品，应如何处理产品？ 38
事先披露 38
退还 38
结论 39

Appendix A: UFLPA High-Priority Sector Supply-Chain Tracing Documentation 40
Aluminum 40
Apparel 40
Caustic Soda 41
Copper 41
Cotton and Cotton Products 42
Lithium 42
Polyvinyl Chloride (PVC) 43
Red Dates (Jujubes) 43
Seafood 43
Silica-Based Products (Including Polysilicon) 44
Steel 44
Tomatoes and Downstream Products 45
Appendix B: Supply-Chain Due Diligence, Tracing, and Management 46
Due Diligence System and Risk Management 46
Reducing Risks in Supply Chains 46
Compliance 46
Supply-Chain Audits 47
Helpful Resources 47
Best Practices and Lessons for Due Diligence for Importers 49
Getting Started with Due Diligence: A Practical UFLPA Example 50
Hypothetical Example of Vetting a Foreign Company 51
Preparing to Respond to a Potential Detention 52
Appendix C: Best Practices for Importers When Submitting Documentation 54
Appendix D: Isotopic Testing 55
Overview of Isotopic Testing for Origin Determination 55
Appendix E: Applicability Review Request Submission Documentation 56
Supply-Chain Tracing Information Documentation Demonstrating Goods Were Not Mined, Produced, or Manufactured, Wholly or In Part, in the XUAR or by an Entity on the *UFLPA Entity List* 56

附录A:UFLPA高风险行业供应链溯源文件 40
铝 40
服装 40
烧碱 41
铜 41
棉花及棉制品 42
锂 42
聚氯乙烯(PVC) 43
红枣(枣) 43
海产品 43
硅基产品(包括多晶硅) 44
钢铁 44
番茄及下游产品 45
附录B：供应链尽职调查、溯源与管理 46
尽职调查体系与风险管理 46
降低供应链风险 46
合规 46
供应链审计 47
有用资源 47
进口商尽职调查的最佳实践与经验教训 49
开始尽职调查：一个实用的UFLPA示例 50
审查外国公司的假设示例 51
为应对可能的扣留做准备 52
附录C：进口商提交文件的最佳实践 54
附录D：同位素检测 55
同位素检测在原产地判定中的应用概述 55
附录E：适用性审查请求提交文件 56
供应链溯源信息文件，证明货物并非全部或部分在XUAR开采、生产或制造，亦非由*UFLPA*实体清单上的实体开采、生产或制造 56

Evidence Pertaining to Overall Supply Chain 56
Evidence Pertaining to Merchandise or Any Component Thereof 56
Evidence Pertaining to Miner, Producer, or Manufacturer 57
Appendix F: Exception Review Request Submission Documentation 58
Due Diligence System Information 58
Documentation on Supply Chain Management Measures 58
Evidence Goods Originating in China Were Not Mined, Produced, or Manufactured, Wholly or In Part, by Forced Labor 58
Appendix G: UFLPA Detention Notice 60
Appendix H: WRO Detention Notice 66
Appendix I: UFLPA Exclusion Notice 68
Appendix J: CAATSA Exclusion Notice 70
Appendix K: WRO Exclusion Notice 72
Appendix L: Notice of Redelivery 73
Appendix M: Certificate of Origin 76
Appendix N: Centers of Excellence and Expertise (Centers) 77

与整体供应链相关的证据 56
与商品或其任何组件相关的证据 56
与矿工、生产商或制造商相关的证据 57
附录 F：例外审查请求提交文件 58
尽职调查系统信息 58
供应链管理措施文件 58
证明原产于中国的货物并非全部或部分由强迫劳动开采、生产或制造的证据 58
附录G:UFLPA扣留通知 60
附录H:WRO扣留通知 66
附录一：UFLPA排除通知 68
附录 J:CAATSA 排除通知 70
附录K:WRO排除通知 72
附录 L：重新交付通知 73
附录 M：原产地证书 76
附录 N：卓越与专业中心(中心) 77

Introduction

U.S. Customs and Border Protection (CBP) implements a dynamic enforcement program to ensure that goods brought into the United States are not produced, wholly or in part, with prohibited convict labor, forced labor, or indentured labor. Compliant importers share this goal, and CBP has supported their efforts to ensure their supply chains are free of forced labor and support fair trade. This Operational Guidance is a continuation of CBP's efforts to support the import community, expanding on the scope of and updating the previous June 13, 2022, Uyghur Forced Labor Prevention Act (UFLPA) Operational Guidance for Importers to include all forced labor enforcement. The guidance in this document will supersede that in the UFLPA Operational Guidance for Importers (CBP Publication: 1793-0522 dated June 13, 2022) following the date of publication.

CBP created this guide to help importers understand the differences among the various forced labor authorities concerning imports to the United States and their respective enforcement processes. Such authorities are as follows: 19 U.S.C. § 1307 (i.e., Withhold Release Orders (WROs) and Findings), the Uyghur Forced Labor Prevention Act (UFLPA), and the Countering America's Adversaries Through Sanctions Act (CAATSA). This guidance document also explains the steps importers should take prior to importing goods to the United States, what records importers need to provide to demonstrate admissibility should their goods be detained or excluded, and how to submit requests to CBP to have their cargo released into U.S. commerce. Additionally, this guidance document is meant to help businesses and individuals practice reasonable care to comply with U.S. forced labor laws, especially when working with vendors, suppliers, manufacturers, and companies that are at risk of using forced labor in their production supply chain.

What is Forced Labor?

The United States import prohibition on goods produced with forced labor was established in Section 307 of the Tariff Act of 1930, 19 U.S.C. § 1307. This statute gives CBP enforcement authority to deny entry of "all goods, wares, articles, and merchandise mined, produced, or manufactured, wholly or in part, in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions" at any port of the United States. 19 U.S.C. § 1307 also defines forced labor as:

> ***"All work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily."***

引言

美国海关与边境保护局(CBP)实施一项动态执法计划，以确保进入美国的货物并非全部或部分由被禁止的囚犯劳动、强迫劳动或契约劳动生产。合规的进口商与这一目标一致，美国海关与边境保护局已支持其确保供应链不含强迫劳动并支持公平贸易的努力。本操作指南是美国海关与边境保护局支持进口界努力的延续，扩展了此前 2022 年 6 月 13 日《维吾尔强迫劳动预防法》(UFLPA)进口商操作指南的范围并对其更新，以涵盖所有强迫劳动执法。本文件中的指南将在发布之日取代《UFLPA 进口商操作指南》(CBP 出版物：1793-0522，日期为 2022 年 6 月 13 日)中的指南。

CBP编制本指南旨在帮助进口商了解涉及进口至美国的各项强迫劳动授权法律及其各自执法流程之间的差异。此类授权法律如下：19 U.S.C.1307(即暂扣令(WROs)和认定)、维吾尔强迫劳动预防法(UFLPA)以及《以制裁反击美国敌人法》(CAATSA)。本指南文件还说明了进口商在将货物进口至美国之前应采取的步骤、进口商在货物被扣留或排除(不予放行)时应提供哪些记录以证明可接受性(是否准予入境)，以及如何向CBP提交请求以使其货物放行进入美国商业流通。此外，本指南文件旨在帮助企业及个人践行合理注意，以遵守美国强迫劳动法律，尤其是在与存在在生产供应链中使用强迫劳动风险的供应商、供货商、制造商和公司合作时。

什么是强迫劳动?

美国对以强迫劳动生产的货物的进口禁令确立于1930年《关税法》第307条，即19 U.S.C.1307。该法规授权美国海关与边境保护局(CBP)在美国任何口岸拒绝入境"全部或部分在任何外国由囚犯劳动或/和强迫劳动或/和受刑事制裁的契约劳动开采、生产或制造的货物、物品、制品和商品"。19 U.S.C.1307还将强迫劳动定义为：

> **"任何人因不履行而受到任何处罚的威胁所被迫从事的一切工作或服务，且该工人并非自愿提供。"**

Consistent with this definition, there are three key elements that must be present to demonstrate the existence of forced labor:[1]

1. **Work or Service of any person** in the context of 19 U.S.C. § 1307 enforcement, pertains to labor used, wholly or in part, to mine, produce, or manufacture in the production of goods. This does not include packaging, inspecting, labeling, or similar labor that is not part of the material production of the goods.
2. **Menace of any penalty** refers to a wide range of penalties or threatened penalties used to compel someone to work, including threats of violence, retention of identity documents, confinement, or nonpayment of wages.[2]
3. **Involuntariness** – is in the context of the term "offered voluntarily", which refers to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case, for example, when an employer or recruiter makes false promises that cause a worker to accept an offer they would have otherwise declined.[3]

   The menace of any penalty and involuntariness elements denote that a worker would not have accepted employment had they known the working conditions prior to accepting the offer of employment, and the worker is compelled and prevented from leaving employment.

Due Diligence: Proactively Preventing Forced Labor in Supply Chains

As an importer, conducting due diligence to address forced labor is critical—not only for compliance with U.S. forced labor laws like the UFLPA, CAATSA, and 19 U.S.C. § 1307, but also for protecting the integrity and competitiveness of U.S. businesses. Under 19 U.S.C. § 1484, importers are required to exercise "reasonable care" by providing CBP with accurate and complete information about goods, including classification, valuation, and other necessary documentation, when importing merchandise. Exercising reasonable care under 19 U.S.C. § 1484 also involves ensuring that the information provided to CBP demonstrates compliance with forced labor related import laws, including verifying that imported goods are free of materials produced, wholly or in part, with forced labor. To comply with forced labor related import laws, importers must proactively identify, assess, and mitigate risks in their supply chains, particularly for goods subject to active WROs and Findings, originating from high-risk regions like the Xinjiang Uyghur Autonomous Region (XUAR), and which use North Korean labor under CAATSA. This due diligence includes conducting supply-chain audits, verifying supplier practices, maintaining traceability of goods back to the raw material stage, and being prepared to demonstrate that goods were not made, wholly or in part, with forced labor. By exercising reasonable care and implementing robust systems for risk assessment, documentation, and

[1] FLD assesses whether the elements exist by looking to the 11 International Labour Organization's (ILO) Indicators of Forced Labor, www.ilo.org/publications/ilo-indicators-forced-labour.
[2] International Labour Organization (ILO), What is Forced Labour?, www.ilo.org/topics/forced-labour-modern-slavery-and-trafficking-persons/what-forced-labour.
[3] Ibid.

根据该定义，要证明存在强迫劳动，必须同时具备三个关键要素：[1]

1. **任何人的工作或服务**在19 U.S.C.1307执法语境下，指全部或部分用于开采、生产或制造货物生产过程中所使用的劳动。不包括包装、检验、贴标或类似劳动，此类劳动不属于货物的实质性生产。

2. **任何处罚的威胁**指用于强迫他人工作的各种处罚或威胁处罚，包括暴力威胁、扣留身份证件、禁闭或拒付工资。[2]

3. **非自愿性**--是在"自愿提供"一词的语境下，指工人自由且知情地同意接受工作，并有权随时离开。例如，当雇主或招聘人员作出虚假承诺，致使工人接受其原本不会接受的工作邀请时，即不属于此种情形。[3]

   任何处罚的威胁与非自愿性这两个要素表明，劳动者若在接受工作邀约前知悉工作条件，本不会接受该工作，且劳动者是被迫的并被阻止离开该工作。

尽职调查：主动防止供应链中的强迫劳动

作为进口商，开展尽职调查以应对强迫劳动问题至关重要--这不仅是为了遵守《维吾尔强迫劳动预防法》、CAATSA 及 19 U.S.C.1484，进口商在进口货物时必须履行"合理注意"义务，向美国海关与边境保护局提供关于货物的准确、完整信息，包括归类、估价及其他必要单证。根据 ~~19 U.S.C.1~~484 履行合理注意还包括确保向美国海关与边境保护局提供的信息能够证明其遵守了与强迫劳动相关的进口法律，包括核实进口货物不含全部或部分由强迫劳动生产的材料。为遵守与强迫劳动相关的进口法律，进口商必须主动识别、评估并降低其供应链中的风险，尤其是对于受现行暂扣令和认定约束的货物、原产于新疆维吾尔自治区等高风险地区的货物，以及根据 CAATSA 使用朝鲜劳动力的货物。该尽职调查包括开展供应链审计、核实供应商做法、保持货物追溯至原材料阶段的可追溯性，并准备好证明货物并非全部或部分由强迫劳动制造。通过履行合理注意并实施健全的风险评估、单证记录和

1 强迫劳动处通过参照国际劳工组织的11项强迫劳动指标来评估是否存在相关要素，www.ilo.org/publications/ilo-indicator

[2]国际劳工组织(ILO),什么是强迫劳动?,www.ilo.org/topics/forced-labour-modern-slavery-and-trafficking-persons/what-forced-labour。

supplier engagement, businesses can demonstrate their commitment to ethical sourcing and compliance and reduce the risk of detentions or seizures by CBP while protecting their reputation.

Learn more about Supply Chain Due Diligence, Tracing, and Management in Appendix B.

CBP Offices Involved in Forced Labor Enforcement

Forced Labor Division (FLD)

FLD enforces 19 U.S.C. § 1307, which prohibits the importation of goods made, wholly or in part, with forced labor, including convict labor, forced child labor, and indentured labor under penal sanctions.

FLD investigates allegations of forced labor in global supply chains, manages CBP's issuance of WROs and Findings, including modifications or revocations; conducts UFLPA exception reviews; and provides program oversight in the enforcement of 19 U.S.C. § 1307 and the enforcement of UFLPA and CAATSA rebuttable presumptions.

FLD is also responsible for responding to general inquiries about forced labor enforcement sent to the ForcedLabor@cbp.dhs.gov and the UFLPAInquiry@cbp.dhs.gov mailboxes.

Ports of Entry (POEs)

POEs facilitate communication with importers or their representatives, Centers of Excellence and Expertise (Centers), and relevant CBP Headquarter offices on detentions and seizures. POE responsibilities include issuing detentions, exclusions, and seizure notices; communicating instructions to the Trade; reviewing importer extension requests **prior** to submission of applicability or admissibility reviews to the Centers and FLD; and coordinating with the Centers on review progress and final disposition of cargo.

To contact the POEs, please refer to the POE Directory.

Centers of Excellence and Expertise (Centers)

Centers are the CBP experts in trade compliance for their specific industry sector and are the primary point of contact for all forced labor detention inquiries. Center responsibilities include conducting UFLPA applicability or WRO and Finding admissibility reviews (FLD conducts UFLPA and CAATSA exception reviews); making recommendations to decisionmakers regarding admissibility; reviewing extension requests **after submission** of supply chain or admissibility reviews; providing guidance to importers on documentation requirements for submission; and providing recommendations to POEs on matters related to cargo disposition. The Centers also review protests filed under 19 U.S.C. § 1514 of applicability or admissibility reviews. Centers conduct industry outreach to provide industry-specific guidance concerning compliance with forced labor laws and regulations, gather information about potential forced labor within their industry sectors, and build trade intelligence that may be utilized in development.

通过供应商参与，企业可以展示其对道德采购与合规的承诺，降低被CBP扣留或查封的风险，同时保护自身声誉。

有关供应链尽职调查、溯源和管理的更多信息，请参见附录B。

参与强迫劳动执法的CBP办公室

强迫劳动处(FLD)

FLD执行19 U.S.C.1307，该条款禁止进口全部或部分以强迫劳动制造的货物，包括囚犯劳动、强迫童工劳动和受刑事制裁的契约劳动。

FLD调查全球供应链中的强迫劳动指控，管理CBP签发暂扣令与认定(包括修改或撤销)；开展UFLPA例外审查；并对19 U.S.C.1307的执法以及UFLPA和CAATSA可反驳推定的执法提供项目监督。

FLD 还负责回复发送至forced labor@cbp.dhs.gov和UFLPAInquiry@cbp.dhs.gov邮箱的关于强迫劳动执法的一般性询问。

入境口岸(POEs)

入境口岸负责就扣留和查封事宜，便利与进口商或其代表、专业中心(Centers)以及美国海关与边境保护局总部相关办公室的沟通。入境口岸的职责包括：签发扣留、排除(不予放行)和查封通知；向业界传达指示；在向专业中心和FLD提交适用性审查或可接受性(是否准予入境)审查之前，审查进口商的延期请求**prior**；并就审查进展和货物最终处置与专业中心协调。如需联系入境口岸，请参阅入境口岸名录。

卓越与专业中心(中心)

专业中心是美国海关与边境保护局在特定行业领域贸易合规方面的专家，也是所有强迫劳动扣留查询的主要联系点。专业中心的职责包括：开展UFLPA适用性审查或暂扣令及认定可接受性(是否准予入境)审查(FLD负责开展UFLPA和CAATSA例外审查)；就可接受性(是否准予入境)向决策者提出建议；在提交供应链审查或可接受性(是否准予入境)审查**after submission**后审查延期请求；就提交文件要求向进口商提供指导；并就与货物处置相关的事项向入境口岸提出建议。专业中心还负责审查依据19 U.S.C.1514就可接受性(是否准予入境)审查提出的异议。专业中心开展行业外联，提供有关遵守强迫劳动法律法规的行业特定指导，收集有关其行业内潜在强迫劳动的信息，并构建可用于开发工作的贸易情报。

Importers are encouraged to contact individual Centers by referring to Appendix N: Centers.

THE CUSTOMS TRADE PARTNERSHIP AGAINST TERRORISM (CTPAT)

The CTPAT is a voluntary public-private partnership program established by CBP to strengthen international supply chain security and facilitate legitimate trade. CTPAT is designed to enhance the security of cargo entering the United States while ensuring the efficient movement of goods across borders. CTPAT focuses on building cooperative relationships between CBP and the trade community to identify and mitigate risks in the supply chain. Participants commit to implementing security measures that meet or exceed CBP's minimum requirements.

A subset of the CTPAT program is the CTPAT Trade Compliance Program. This is a voluntary program that provides the opportunity for importers who have made a commitment of resources to assume responsibility for monitoring their own compliance in exchange for tangible benefits. The program is based on the premise that importers with strong internal controls designed to ensure a high level of compliance will require fewer enforcement reviews and less oversight. The program requires that importers maintain a system of internal controls that demonstrate a sound business operation that supports the accuracy of their import transactions.

CTPAT Trade Compliance partners are afforded certain benefits for forced labor enforcement.

Benefits of CTPAT Trade Compliance Partnership for Forced Labor Reviews:

1. **Front of the Line Admissibility Review:** CTPAT Trade Compliance partners who have shipments detained due to forced labor will have their admissibility packages prioritized for review by the appropriate Center. The importer must assert that they are an active member of the CTPAT Trade Compliance program and request prioritized review at the time supporting documentation is submitted to CBP.
2. **Redelivery:** CTPAT Trade Compliance partners who have shipments arrive at their facility that are later determined to be held due to potentially being subject to forced labor enforcement provisions, where redelivery is normally requested, may hold their shipments intact at their facility, rather than redelivering the goods to CBP until an admissibility determination is made or until such time that a physical inspection is required.
3. **Preliminary Hold Notification:** For CTPAT Trade Compliance partners, CBP will provide, to the best of the program's ability, advanced notice of a possible hold, detention, exclusion, and/or seizure of merchandise after an entry is filed for cargo arriving in the United States and is determined to be subject to the UFLPA, CAATSA, WROs, or a Finding.
4. **Advanced Notification:** CBP will provide 48-hour advanced notification to CTPAT Trade Compliance partners when a new WRO or Finding is issued.

鼓励进口商参阅附录 N：专业中心联系各专业中心。

海关-商界反恐伙伴计划(CTPAT)

CTPAT 是 CBP 设立的自愿性公私合作计划，旨在加强国际供应链安全并促进合法贸易。CTPAT 旨在提升进入美国的货物安全，同时确保货物跨境高效流动。CTPAT 侧重于在 CBP 与贸易界之间建立合作关系，以识别和降低供应链中的风险。参与者承诺实施达到或超过 CBP 最低要求的安全措施。

CTPAT 计划的一个子集是 CTPAT 贸易合规计划。这是一个自愿性计划，为已投入资源承诺承担自身合规监控责任的进口商提供机会，以换取切实利益。该计划基于这样一个前提：拥有旨在确保高水平合规的强有力内部控制的进口商，将需要更少的执法审查和更少的监督。该计划要求进口商维持一套内部控制体系，以证明其业务运营稳健，支持其报关交易的准确性。

CTPAT 贸易合规合作伙伴在强迫劳动执法方面享有特定权益。

CTPAT 贸易合规合作伙伴关系在强迫劳动审查方面的权益：

1. **可接受性审查优先：**货物因强迫劳动被扣留的 CTPAT 贸易合规合作伙伴，其可接受性材料将由相关专业中心优先审查。进口商必须在向 CBP 提交支持性文件时声明其为 CTPAT 贸易合规项目的有效成员，并请求优先审查。
2. **退还：** CTPAT 贸易合规合作伙伴的货物运抵其设施后，如 later 被认定因可能适用强迫劳动执法条款而被扣留--通常此种情形下会要求退还--该合作伙伴可将货物原封不动保留在其设施内，无需将货物退还 CBP，直至作出可接受性裁定或需要进行实物查验时为止。
3. **初步扣留通知：**对于 CTPAT 贸易合规合作伙伴，在货物运抵美国并提交报关单后，如 CBP 认定该货物适用《维吾尔强迫劳动预防法》、CAATSA、暂扣令或认定，CBP 将尽该项目之最大能力，就可能发生的扣留、扣留、排除(不予放行)和/或没收提供预先通知。
4. **预先通知：**当新的暂扣令或认定发布时，CBP 将向 CTPAT 贸易合规合作伙伴提供 48 小时预先通知。

For more information, including program requirements, please visit CBP's CTPAT webpage and the CTPAT Trade Compliance webpage.

如需了解更多信息(包括项目要求)，请访问 CBP 的CTPAT 网页和CTPAT 贸易合规网页。

Forced Labor Enforcement Processes

One of the important duties U.S. Customs and Border Protection (CBP) performs is stopping products made with forced labor from entering the U.S. commerce through enforcement of the Uyghur Forced Labor Prevention Act (UFLPA) and Countering America's Adversaries Through Sanctions Act (CAATSA) rebuttable presumptions, and the issuance of Withhold Release Orders (WROs) and Findings.

UFLPA (P.L. 117-78)

The United States responded to the Chinese government's systemic use of forced labor against Uyghurs and other ethnic minorities in the Xinjiang Uyghur Autonomous Region (XUAR) of the People's Republic of China through the enactment of the UFLPA. The UFLPA establishes a **rebuttable presumption** that goods produced, wholly or in part, in the XUAR or by entities on the *UFLPA Entity List* are prohibited under 19 U.S.C. § 1307 (i.e., made with forced labor) and are not entitled to entry at any ports of the United States. CBP may detain or exclude shipments when enforcing the UFLPA.[4]

A rebuttable presumption is a legal principle that presumes something to be true unless proven otherwise.

When CBP applies the rebuttable presumption, it excludes the goods from entry. To demonstrate that an exception to the rebuttable presumption should be granted, importers must fully comply with the guidance in the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China (*UFLPA Strategy*), completely and substantively respond to all inquiries for information submitted by CBP, and demonstrate by clear and convincing evidence, that their goods are not produced, wholly or in part, with forced labor. Alternatively, importers may apply for an applicability review to demonstrate that their goods were not produced, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List* when CBP detains shipments for UFLPA enforcement.

CBP enforces the UFLPA based on whether the shipment contains a "**potential input**" or "**direct input**" produced, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List* through risk assessments.

[4] The *UFLPA Entity List* is a consolidated list that is published in the Federal Register that includes: (1) a list of entities in the XUAR that mined, produced, or manufactured, wholly or in part, any goods, wares, articles, and merchandise with forced labor; (2) a list of entities working with the government of the XUAR to recruit, transport, transfer, harbor, or receive forced labor or Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted groups out of the XUAR; (3) a list of entities that exported products made by entities in lists 1 and 2 from the People's Republic of China into the United States; and (4) a list of facilities and entities, including the Xinjiang Production and Construction Corps, that source material from the XUAR or from persons working with the government of the XUAR or the Xinjiang Production and Construction Corps for purposes of the "poverty alleviation" program or the "pairing-assistance" program or any other government-labor scheme that uses forced labor. It is maintained by the Department of Homeland Security, Forced Labor Enforcement Task Force (FLETF) which monitors the enforcement of 19 U.S.C. § 1307.

强迫劳动执法流程

美国海关与边境保护局(CBP)履行的重要职责之一，是通过执行《维吾尔强迫劳动预防法》(UFLPA)和《以制裁反击美国敌人法》(CAATSA)的可反驳推定，以及发布暂扣令(WROs)和认定，阻止使用强迫劳动制造的产品通过美国商业渠道进~~入美国~~。

UFLPA(P.L.117-78)

美国对中国作出了回应
政府系统性地使用强迫劳动针对
新疆的维吾尔人和其他少数民族
维吾尔自治区(XUAR)

可反驳的推定是一种
法律原则推定
有证据证明之前，某事被视为真实
否则。

中华人民共和国，通过颁布《维吾尔强迫劳动预防法》。《维吾尔强迫劳动预防法》确立了一项**可反驳推定**，即在新疆维吾尔自治区(XUAR)全部或部分生产，或由*UFLPA* 实体清单上的实体生产的货物，依据 19 U.S.C.1307 属禁止入境货物(即使用强迫劳动制造)，无权在美国任何口岸入境。CBP 在执行《维吾尔强迫劳动预防法》时可扣留或排除(不予放行)货物。[4]

当 CBP 适用可反驳推定，其将货物排除在报关之外。为证明应准予可反驳推定的例外，进口商必须完全遵守《防止中华人民共和国以强迫劳动开采、生产或制造的商品进口战略》(*UFLPA* 战略)中的指引，完整且实质性地回应 CBP 提交的所有信息查询，并以清晰且令人信服的证据证明其货物并非全部或部分以强迫劳动生产。或者，当 CBP 为执行 UFLPA 而扣留货物时，进口商可申请适用性审查，以证明其货物并非全部或部分在新疆维吾尔自治区或由 UFLPA 实体清单上的实体生产。

CBP 通过风险评估，根据货物是否含有在新疆维吾尔自治区全部或部分生产、或由*UFLPA* 实体清单上的实体生产的"**潜在投入**"或"**直接投入**"来执行《维吾尔强迫劳动预防法》。

[4] UFLPA 实体清单是一份在《联邦公报》上公布的统一清单，包括：(1) 在新疆维吾尔自治区内全部或部分使用强迫劳动开采、生产或制造任何货物、物品、商品和货品的实体清单；(2) 与新疆维吾尔自治区政府合作，招募、运输、转移、收容或接收强迫劳动人员或维吾尔族、哈萨克族、柯尔克孜族或其他受迫害群体成员离开新疆维吾尔自治区的实体清单；(3) 将清单1和清单2所列实体制造的产品从中华人民共和国出口至美国的实体清单；以及(4) 从新疆维吾尔自治区或从与新疆维吾尔自治区政府或新疆生产建设兵团合作的人员处采购材料用于"扶贫"计划或"结对帮扶"计划或任何其他使用强迫劳动的政府劳工计划的设施和实体清单，包括新疆生产建设兵团。该清单由国土安全部强迫劳动执法工作组(FLETF)维护，该工作组监督19 U.S.C.1307的执行。

- A **potential input** occurs when there is information indicating that merchandise **may be** mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List*.
- A **direct input** occurs when there is information to indicate merchandise is mined, produced, or manufactured, wholly or in part, the XUAR or by an entity on the *UFLPA Entity List*.

For a potential input, depending on the certainty of the connection to the XUAR or an entity on the *UFLPA Entity List*, CBP may choose to either detain or exclude shipments.

CAATSA (22 U.S.C. § 9241a)

CAATSA establishes a **rebuttable presumption** that goods produced wholly or in part by North Korean nationals or North Korean citizens are prohibited under 19 U.S.C. § 1307 (i.e., made with forced labor) and are not entitled to entry at any of the ports of the United States. Effective 2024, CBP will exclude shipments when enforcing the CAATSA rebuttable presumption.

To demonstrate that an exception to the rebuttable presumption should be granted, importers must demonstrate, by clear and convincing evidence, that their goods are not produced, wholly or in part, with convict labor, forced labor, or indentured labor under penal sanctions.

WROs and Findings (19 U.S.C. § 1307, 19 C.F.R. §§ 12.42-12.44)

CBP conducts investigations into allegations of forced labor in global supply chains pursuant to 19 U.S.C. § 1307 and 19 C.F.R. § 12.42. These investigations are typically initiated based on credible evidence that goods are being produced, mined, or manufactured, wholly or in part, with convict labor, forced labor, or indentured labor under penal sanctions, including forced or indentured child labor.

When CBP has reasonable suspicion that forced labor is used in the production of goods and that such goods are being, or are likely to be, imported into the United States, CBP will issue a WRO. *Refer to* 19 C.F.R. § 12.42(e). A WRO directs U.S. port personnel to detain shipments of goods that are subject to the WRO. If CBP has probable cause that forced labor is used in the production of goods and that such goods are being, or are likely to be, imported into the United States, it will issue a Finding, with the approval of the Secretary of Homeland Security. A Finding allows CBP to seize the covered merchandise for a violation of 19 U.S.C. § 1307 and commence forfeiture proceedings pursuant to 19 C.F.R. Part 162, subpart E, unless the importer demonstrates that the goods are not produced, wholly or in part, with forced labor. *Refer to* 19 C.F.R. §§ 12.42(f), 12.44(b). CBP publishes its Findings in the Customs Bulletin and the Federal Register.[5]

[5] Customs Bulletin, www.cbp.gov/trade/rulings/bulletin-decisions; Federal Register, www.federalregister.gov/.

- 当有信息表明货物**可能**在新疆维吾尔自治区全部或部分开采、生产或制造，或由*UFLPA* 实体清单上的实体开采、生产或制造时，即构成**潜在投入**。
- 当有信息表明货物在新疆维吾尔自治区全部或部分开采、生产或制造，或由*UFLPA* 实体清单上的实体开采、生产或制造时，即构成**直接投入**。

对于潜在投入，视其与新疆维吾尔自治区或*UFLPA* 实体清单上实体关联的确定性程度，CBP 可选择扣留或排除(不予放行)货物。

CAATSA（22 U.S.C.9241A）

CAATSA 确立了一项可反驳推定，即全部或部分由朝鲜国民或朝鲜公民生产的商品依据 19 U.S.C.1307 属禁止入境之列(即系以强迫劳动制造)，且无权在美国任何口岸报关入境。自 2024 年起，CBP 在执行 CAATSA 可反驳推定时将扣留相关货物。为证明应获准适用可反驳推定的例外，进口商必须以清晰且令人信服的证据证明其商品并非全部或部分以罪犯劳动、强迫劳动或受刑事制裁的契约劳动生产。

WRO 与认定(19 U.S.C.12.42-12.44)

CBP 依据 19 U.S.C.1307 和 19 C.F.R.12.42 对全球供应链中的强迫劳动指控开展调查。这些调查通常基于可信证据启动，即有证据表明货物全部或部分使用罪犯劳动、强迫劳动或受刑事制裁的契约劳动(包括强迫或契约童工)生产、开采或制造。

When CBP has reasonable suspicion that forced labor is used in the production of goods and that such goods are being, or are likely to be, imported into the United States, CBP will issue a WRO. Refer to 19 C.F.R. 1307 and commence forfeiture proceedings pursuant to 19 C.F.R. Part 162, subpart E, unless the importer demonstrates that the goods are not produced, wholly or in part, with forced labor. Refer to 19 C.F.R. 12.42(f), 12.44(b). CBP publishes its Findings in the Customs Bulletin and the Federal Register.5

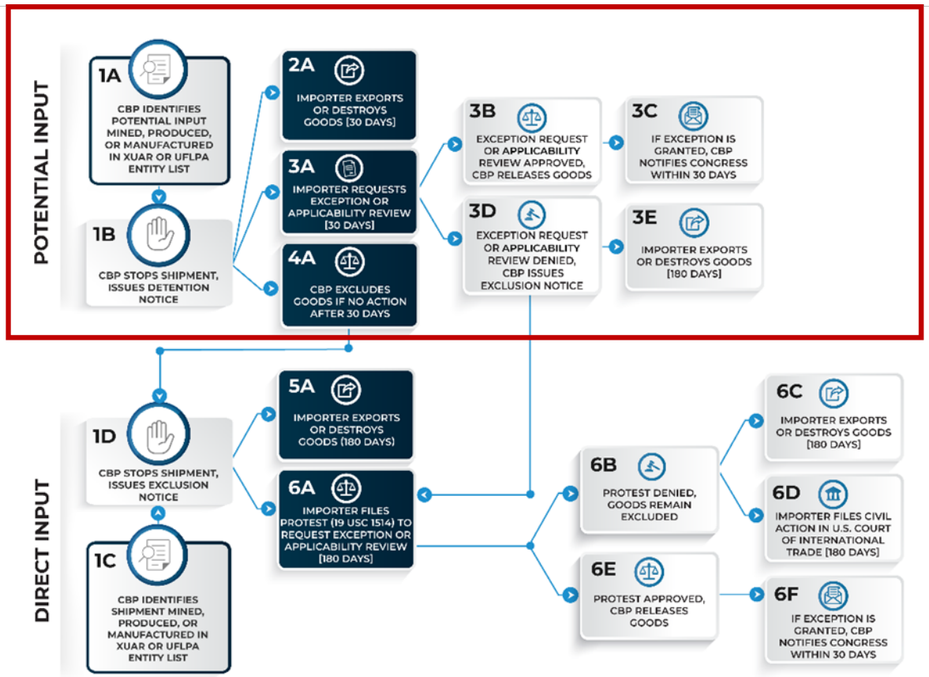
[5] 《海关公报》,www.cbp.gov/trade/rulings/bulletin-decisions;《联邦公报》,www.Federal Register.gov/。

CBP posts all WROs and Findings to the forced labor webpage at https://www.cbp.gov/trade/forced-labor. To learn more about specific frequently asked questions (FAQs) related to these laws and regulations, visit CBP's Forced Labor FAQ webpage.

THE IMPORTATION PROCESS AND ENFORCEMENT OF THE UFLPA

The UFLPA Potential Input Process

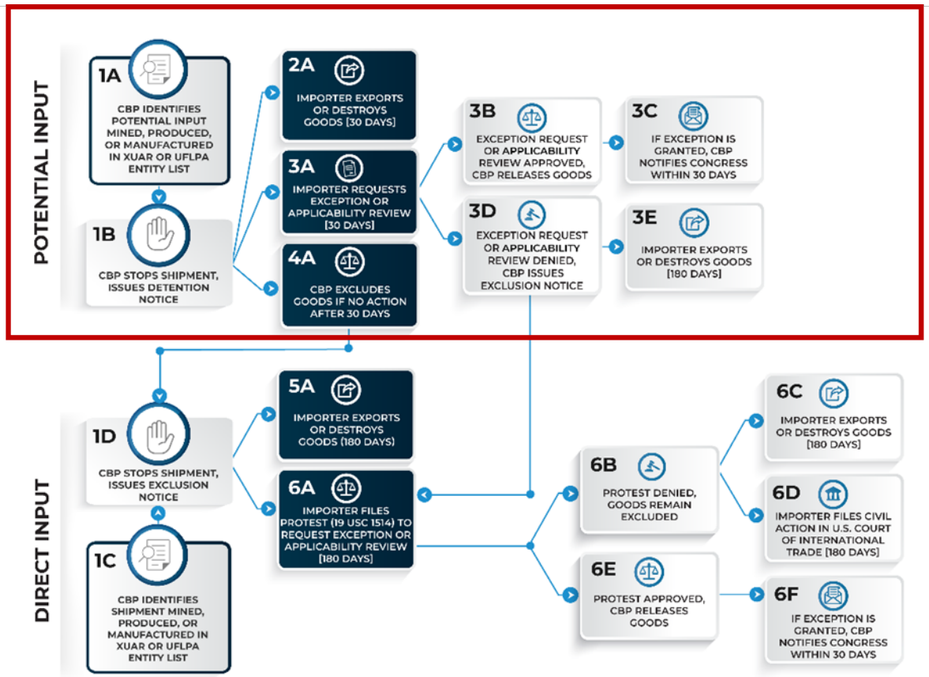
The enforcement steps below explain the process under which a shipment is stopped under The UFLPA Potential Input Process and how to respond as outlined in the top portion of this graphic.

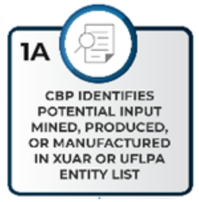


CBP 将所有暂扣令和认定发布在强迫劳动网页https://www.cbp.gov/trade/forced-labor.上。如需了解与这些法律法规相关的具体常见问题(FAQs)，请访问 CBP 的强迫劳动常见问题网页。

进口流程与《维吾尔强迫劳动预防法》的执行 《维吾尔强迫劳动预防法》潜在投入流程

以下执法步骤说明了货物依据《维吾尔强迫劳动预防法》潜在投入流程被拦截的过程，以及如本图上半部分所述应如何应对。





CBP Identifies Shipment for UFLPA Enforcement

A **potential input** occurs when there is information to indicate merchandise **may be mined, produced, or manufactured,** wholly or in part, in the XUAR or an entity on the *UFLPA Entity List.* Depending on the certainty of the connection to the XUAR or an entity on the *UFLPA Entity List*, CBP may choose different enforcement options (detention or exclusion). **In this scenario**, when CBP determines that a shipment contains **potential inputs**, the goods will be detained, and the importer must provide evidence to demonstrate compliance with UFLPA requirements.



CBP Stops Shipment, Issues Detention Notice

CBP will stop shipments and issue a detention notice (CBP Form 6051D) and Attachment 2-B.[6]

What is UFLPA Detention?

- CBP detains goods suspected of violating the UFLPA to prevent their entry into the United States. Detention occurs if CBP has information **indicating that the producer, supplier, or vendor of a good may have a link to producers or suppliers in the XUAR or by an entity on the *UFLPA Entity List*** and that such good is produced by or contains inputs from such entities.
- If CBP decides to detain merchandise, the importer should understand that a detention notice represents CBP's decision to subject the merchandise to further inspection. CBP will issue a detention notice advising the importer or other interested party of the following:[7]
  1. Initiation of the detention, including the date the merchandise was presented for examination.
  2. Reason for the detention.
  3. Anticipated length of the detention.
  4. Nature of the tests or inquiries to be conducted (to the extent applicable).
  5. Instructions to the importer for submitting information to CBP to rebut the UFLPA presumption and a notice that the importer has **30 days** to demonstrate that the goods are admissible (i.e., not made with forced labor).

[6] Attachment 2-B, www.cbp.gov/document/guidance/uflpa-attachment-notice-detention.
[7] 19 U.S.C. § 1499 and 19 C.F.R. § 151.16.



CBP 确定受 *UFLPA* 执法的货物

当有信息表明货物**可能全部或部分在新疆维吾尔自治区开采、生产或制造**，或由*UFLPA* 实体清单上的实体开采、生产或制造时，即构成**潜在投入**。

视其与新疆维吾尔自治区或*UFLPA* 实体清单上实体关联的确定性程度，CBP 可选择不同的执法方式(扣留或排除(不予放行))。**在此情形下**，当 CBP 认定货物含有**潜在投入**时，货物将被扣留，进口商必须提供证据以证明符合《维吾尔强迫劳动预防法》的要求。



CBP 扣留货物并签发扣留通知

CBP将扣留货物并发出扣留通知(CBP表格 6051D)和附件 2-B。[6]

什么是UFLPA扣留?

- CBP 扣留涉嫌违反《维吾尔强迫劳动预防法》的货物，以防止其进入美国。如有信息**表明货物的生产商、供应商或销售商可能与新疆维吾尔自治区的生产商或供应商、或与 UFLPA 实体清单上的实体存在关联**，且该货物由该等实体生产或含有该等实体的投入，CBP 即实施扣留。

- 如 CBP 决定扣留货物，进口商应了解，扣留通知代表 CBP 决定对该货物进行进一步查验。CBP 将发出扣留通知，告知进口商或其他利害关系方

following: [7]

1. 扣留的启动情况，包括货物提交查验的日期。
2. 扣留原因。
3. 扣留的预计时长。
4. 拟进行的测试或询问的性质(在适用范围内)。
5. 向进口商说明向 CBP 提交信息以反驳《维吾尔强迫劳动预防法》推定的指示，并通知进口商有**30 天**时间证明货物可接受(即非使用强迫劳动制造)。

6 Attachment 2-B. www.cbp.gov/document/guidance/uflpa-attachment-notice-detention. 7 19 U.S.C. 151.16.

Detention Information

- Any importer that wishes to challenge CBP's decision to detain goods by requesting an applicability or exception review is responsible for all storage costs incurred throughout the duration of the review until CBP makes its final determination.
- CBP may require a basic **single-transaction** importation bond (19 C.F.R. § 113.62(g)(2)) for three times the value of detained goods when forced labor is suspected.[8] This bond protects the government's interest under conditions set forth in the basic importation and entry bond while the importer works to resolve the issue, such as providing evidence to demonstrate that the goods were not produced using forced labor.

2A IMPORTER EXPORTS OR DESTROYS GOODS [30 DAYS]

Importer Exports or Destroys Goods (30 Days)

If goods are detained, the importer has the option to export or destroy the goods. The importer has **30 days** to respond to the UFLPA detention. Importers should email the point of contact identified on the detention notice prior to the expiration of the initial 30-day detention period to exercise one of these two options. **Importers are responsible for all costs involved in the export or destruction of the subject merchandise.**

3A IMPORTER REQUESTS EXCEPTION OR APPLICABILITY REVIEW [30 DAYS]

Importer Requests Exception or Applicability Review (30 Days)

To request an exception or applicability review, importers should email the point of contact identified on the detention notice prior to the expiration of the initial 30-day detention period to indicate this is the option the importer wants to exercise, and provide the documentation through the Forced Labor Portal or request an extension for additional time to obtain the required documentation for a review.

Importers may request an extension to gather information required to submit an exception or applicability review request. The decision to grant an extension is at the FLD, Port or Center Director's discretion and will be granted on a case-by-case basis. Importers are allowed a maximum of two extensions, which should not exceed a total of 90 calendar days from the date of the detention notice. Importers should contact the POE to request an extension **if the extension request is made prior** to the submission of documentation to FLD or the Center for a review request. **If the extension request is made after** the submission of documentation to FLD or the Center, importers should contact FLD or the assigned Center which can be found in the Centers of Excellence and Expertise Directory.

[8] 19 C.F.R. § 113.62(n)(1).

扣留信息

任何希望挑战CBP扣留货物决定的进口商，可通过请求

适用性审查或例外审查请求来质疑 CBP 扣留货物决定的进口商，须承担审查全程直至 CBP 作出最终裁定期间产生的所有仓储费用。CBP 可要求提供基本的**单次交易**进口保证金(19 C.F.R. ~~113.62(g)(2)~~)，在怀疑存在强迫劳动时，按被扣留货物价值的三倍提供担保。[8]该担保在基本进口与入境担保所规定的条件下保护政府利益，同时进口商努力解决问题，例如提供证据证明货物未使用强迫劳动生产。

2A IMPORTER EXPORTS OR DESTROYS GOODS [30 DAYS]

进口商出口或销毁货物(30 天)

如果货物被扣留，进口商可以选择将货物出口或销毁。进口商有**30 天**的时间对 UFLPA 扣留作出回应。进口商应在最初 30 天扣留期届满之前，向扣留通知上注明的联系人发送电子邮件，以行使这两种选择之一。**进口商负责涉案商品出口或销毁所涉及的所有费用。**

3A IMPORTER REQUESTS EXCEPTION OR APPLICABILITY REVIEW [30 DAYS]

进口商申请例外或适用性审查(30天)

如需申请例外审查或适用性审查，进口商应在最初 30 天扣留期届满之前，向扣留通知上注明的联系人发送电子邮件，表明这是进口商希望行使的选择，并通过强迫劳动门户提供文件，或申请延期以获得额外时间获取审查所需的文件。

进口商可请求延期，以收集提交例外或适用性审查请求所需的信息。是否批准延期由强迫劳动处、口岸或专业中心主任酌情决定，并将逐案批准。进口商最多可获两次延期，自扣留通知之日起总计不得超过90个日历日。**如果延期请求是在向强迫劳动处或专业中心提交审查请求文件之前**提出的，进口商应联系POE请求延期。**如果延期请求是在向强迫劳动处或专业中心提交文件之后**提出的，进口商应联系强迫劳动处或指定的专业中心，相关信息可在专业中心名录中查阅。

8 19 C.F.R.113.62(n)(1)。

A Side-by-Side Comparison of UFLPA Exception Review Requests and Applicability Review Requests

Exception Review Requests	Applicability Review Requests
*Goods **were** mined, produced, or manufactured, wholly or in part, in the XUAR or by entities on the UFLPA Entity List*	*Goods **were NOT** mined, produced, or manufactured, wholly or in part, in the XUAR or by entities on the UFLPA Entity List*
Exception review requires: • Importers must demonstrate that they have fully **complied** with the importer guidance described in the *UFLPA Strategy* (i.e., the documentation requirements, due diligence, supply-chain tracing, and supply chain measures); demonstrate, by clear and convincing evidence, that the good was not produced, wholly or in part, with forced labor; and respond completely and substantively to CBP requests for information.[9] • **Refer to** Appendix F for a list of documents that may be submitted as supporting evidence for exception review requests. • UFLPA Exception reviews during detentions and protests are handled by FLD**.** • Questions regarding documentation required or status of review should be directed to UFLPAInquiry@cbp.dhs.gov.	Applicability review requires: • Importers must demonstrate that their shipment does not contain goods or inputs produced in the XUAR or by an entity on the *UFLPA Entity List*. • Refer to Appendix E for a list of documents that may be submitted as supporting evidence for applicability review requests. • UFLPA Applicability Reviews during detentions and protests are handled by the assigned Center for the importer. • Questions regarding documentation required or status of review should be directed to the assigned Center, which can be found in the Centers of Excellence and Expertise Directory.

! Exception Reviews or Applicability Reviews may be requested in response to:

- A Detention Notice: Importers request the review through the **Forced Labor Portal** (https://flportal.cbp.gov/).
- An Exclusion Notice: Importers request the review by filing a protest under 19 U.S.C § 1514 using the ACE Protest Module.
- A Seizure Notice: Importers request the review through the Fines, Penalties and Forfeitures (FP&F) petitioning process.

[9] *UFLPA Strategy*, www.dhs.gov/uflpa-strategy.

UFLPA 例外审查请求与适用性审查的并列比较

请求

例外审查请求	适用性审查请求
货物**系**开采、生产或全部或部分在新疆维吾尔自治区*(XUAR)*制造的或由*UFLPA*实体清单上的实体	货物**并非**全部或部分在 *XUAR* 开采、生产或 或由*UFLPA*实体清单上的实体
例外审查要求： • 进口商必须证明其已完全遵守 UFLPA 战略中所述的进口商指引（即文件要求、尽职调查、供应链追溯和供应链措施）；以明确且令人信服的证据证明该货物并非全部或部分使用强迫劳动生产；并对 CBP 的信息请求作出完整和实质性回应。9 • 关于清单，请参阅附录 F，其中列出了可作为例外审查请求支持证据提交的文件。 • 扣留和抗议期间的 UFLPA 例外审查由 FLD 处理。 • 有关文件要求或审查状态的问题应转交至 UFLPAInquiry@cbp.dhs.gov。	适用性审查要求： • 进口商必须证明其货物不包含在 XUAR 生产、或由 UFLPA 实体清单上的实体生产的货物或投入品。 • 关于清单，请参阅附录 E，其中列出了可作为适用性审查请求支持证据提交的文件。 • 扣留和抗议期间的 UFLPA 适用性审查，由分配给该进口商的专业中心处理。 • 有关文件要求或审查状态的问题，应直接向指定的专业中心提出，可在专业中心名录中查找。

! 针对以下情形，可申请例外审查或适用性审查：

- 扣留通知：进口商通过**强迫劳动**门户请求审查 Portal (https://flportal.cbp.gov/).
- 排除通知：进口商使用ACE 抗议模块，根据 19 U.S.C1514 提出抗议以请求审查。
- 扣押通知：进口商通过罚款、处罚与没收(FP&F)申请程序请求审查。

[9]UFLPA战略,www.dhs.gov/uflpa-strategy。

What is an Exception Review Request?

- An Exception Review Request is when importers **do not** contest that their goods **were** mined, produced, or manufactured, wholly or in part, in the XUAR or by entities on the *UFLPA Entity List*; **however**, they seek to demonstrate that they meet the UFLPA requirements for the exception request.

Due diligence is critical in preventing forced labor from entering the supply chain and should be exercised to prevent detentions and support review requests. Conducting thorough supply-chain audits, risk assessments, and implementing robust compliance measures helps identify and reduce risks of forced labor within global supply chains. Learn more about due diligence and supply-chain tracing in Appendix B.

To qualify for an exception, importers must demonstrate that they have fully complied with the importer guidance described in the *UFLPA Strategy*; demonstrate, by **clear and convincing evidence**, that the good was not produced, wholly or in part, with forced labor; and respond completely and substantively to CBP requests for information.

- While the evidence required from the importer will vary based on the facts and circumstances of the import in question, Section VI (C) of the *UFLPA Strategy* outlines the forms of evidence that will typically facilitate the review. Appendix F contains guidance on the types of supporting evidence importers may submit to support their required documentation outlined in the *UFLPA Strategy*.

Note: Documents like **affidavits and redacted or untranslated documents are not** sufficient for an applicability or exception review.

All foreign language documents submitted to CBP should include **English** translations**.** English translations allow CBP to properly and more efficiently evaluate the information provided for review.

- *Please note that CBP may request that importers provide additional evidence beyond what is listed to demonstrate the admissibility of goods.*

什么是例外审查请求?

- 例外审查请求是指进口商**不**对其货物**系**全部或部分在 XUAR 或由*UFLPA* 实体清单上的实体开采、生产或制造提出异议；**但是**，他们寻求证明其符合例外请求的 UFLPA 要求。

尽职调查对于防止强迫劳动进入供应链至关重要，应予实施以防止扣留并支持审查请求。开展全面的供应链审计、风险评估以及实施强有力的合规措施，有助于识别和降低全球供应链中强迫劳动的风险。在附录 B中了解更多关于尽职调查和供应链追溯的信息。

要获得例外资格，进口商必须证明其已完全遵守 UFLPA 战略中所述的进口商指引；以明确且令人信服的证据证明该货物并非全部或部分使用强迫劳动生产；并对 CBP 的信息请求作出完整和实质性的回应。

- 尽管要求进口商提供的证据将根据有关进口的事实和情况而有所不同，但《UFLPA 战略》第六(C)节概述了通常有助于审查的证据形式。附录 F 载有关于进口商可提交哪些类型的支持性证据以佐证《UFLPA 战略》所述其所需文件的指引。

注：诸如**宣誓书以及经涂黑或未翻译的文件，不足以**用于适用性审查或例外审查。

所有提交给 CBP 的外文文件均应包含**英文**译文。英文译文使 CBP 能够适当且更高效地评估所提交供审查的信息。

- 请注意，*CBP* 可能要求

进口商提供清单所列内容之外的补充证据，以证明货物的可接受性*(*是否准予入境*)*。

What is an Applicability Review Request?

- An Applicability Review Request is when importers state that the UFLPA does not apply to merchandise in their shipment because such goods were **NOT** mined, produced, or manufactured, wholly or in part, in the XUAR or by entities on the *UFLPA Entity List*.
  - Applicability Reviews require documentation tracing the supply chain from the raw material stage to the finished, imported goods. The documentation must demonstrate that no goods or inputs were produced in the XUAR or by an entity on the *UFLPA Entity List*.
  - The evidence required from the importer will vary based on the facts and circumstances of the import in question.
  - Importers should be prepared to submit all the required documentation outlined in Section VI (B) of the *UFLPA Strategy*. Appendix E contains guidance on the types of supporting evidence importers may submit to support the required documentation outlined in the *UFLPA Strategy*.
  - *Please note that CBP may request that importers provide additional evidence beyond what is listed to demonstrate the admissibility of goods.*
  - Additionally, importers can find Guidance on Executive Summaries and Sample for preparing an applicability review request.

Generally, to demonstrate that the UFLPA does not apply to a shipment targeted for examination under the law, importers will need to provide documentation produced in the ordinary course of business that details the order, purchase, manufacture, and transportation of inputs throughout their supply chain. CBP considers all information provided by an importer in assessing the admissibility of merchandise.

Supply Chain Tracing Information: Example Documentation Needed in Applicability Review Requests

The outline below provides an example of the document submission that an importer presented to CBP to demonstrate that a shipment is not subject to the UFLPA for a solar shipment because the merchandise was not produced in whole or in part in the XUAR or by an entity on the *UFLPA Entity List*.

This outline shows the types of documents that typically facilitate CBP's review, but it is not intended to serve as a complete list of documentation that CBP may request.

CBP also encourages the trade community to use origin verification testing, which includes isotopic testing, to better understand their supply chains, demonstrate due diligence, and assist with determining the source of raw materials in final products. Isotopic testing is a method companies can use to find out where the materials in their products come from. CBP supports using this testing to help trace supply chains and reduce trade fraud risks (more information on isotopic testing is available in Appendix D).

什么是适用性审查请求?

• 适用性审查请求是指进口商声明 UFLPA 不适用于其货物中的商品，因为此类商品并非全部或部分在 XUAR 开采、生产或制造，也并非由 UFLPA 实体清单上的实体开采、生产或制造。o 适用性审查要求提供从原材料开始追溯供应链的文件

材料阶段到成品进口货物的供应链追溯文件。文件必须证明没有任何货物或投入是在 XUAR 生产或由*UFLPA* 实体清单上的实体生产。o 要求进口商提供的证据将根据事实和情况而有所不同

所涉进口的相关部分。

o 进口商应准备好

提交*UFLPA* 战略第 VI(B) 节所列的所有必需文件。

附录 E包含关于进口商可提交何种支持性证据以佐证*UFLPA* 战略所列必需文件的指引。

o 请注意，*CBP* 可能要求

进口商提供额外

所列之外的其他证据，以证明货物的可接受性(是否准予入境)。

o 此外，进口商可查阅执行摘要指引与示例，用于

请求

以下大纲提供了进口商向 CBP 提交文件以证明某批太阳能货物不适用 UFLPA 的示例，理由是该商品并非全部或部分在 XUAR 生产，也非由*UFLPA* 实体清单上的实体生产。本大纲展示了通常有助于 CBP 审查的文件类型，但并非 CBP 可能要求提供的文件的完整清单。

一般而言，为证明UFLPA不适用于根据该法被指定接受检查的货物，进口商需要提供在正常业务过程中生成的文档，详细说明其整个供应链中投入品的订单、采购、制造和运输情况。CBP在评估商品的可接受性（是否准予入境）时会考虑进口商提供的所有信息。

CBP 亦鼓励贸易界采用原产地验证检测(包括同位素检测)，以更好地了解其供应链、证明已开展尽职调查，并协助确定最终产品中原材料的来源。同位素检测是企业可用于查明其产品中材料来源的一种方法。CBP 支持采用该检测以帮助追溯供应链并降低贸易欺诈风险(有关同位素检测的更多信息见附录 D)。

! All documents provided should include translations into English.

Types of Documents to Include in Importer Packages

Importer Package submissions should include a comprehensive Executive Summary.

Type of Document	Invoices	Purchase Orders	Production Contract	Work Order	Bill of Lading	Foreign Customs Clearance	Declaration Forms and Waybills	Transportation Records	Manifest	Proof of Payment	Certificate of Origin
To demonstrate parties participating in the transaction	✓	✓	✓	✓							
Relating to the payment and transportation of raw materials					✓	✓	✓	✓	✓		
Transaction and supply chain records					✓				✓	✓	✓

Additional documents which **may be included in an Importer Package for a solar case.**	• Imported Modules/Module Producers • Shipping and Freight Arrival Notice • Module Supplier • Solar Module Production Records • Solar Cell Inbound & Outbound Records

! 所有提供的文件均应包含英文译文。

进口商材料包应包含的文件类型

文件类型	发票	采购订单	生产合同	工单	提单	境外清关申报单	表格与运单	运输记录	舱单	付款证明	原产地证书
证明参与交易的各方	✓	✓	✓	✓							
原材料付款与运输					✓	✓	✓	✓	✓		
交易与供应链记录					✓				✓	✓	✓

可纳入进口商资料包的其他文件，用于	• 进口模块/模块生产商 • 运输与货运到达通知 • 模块供应商 • 太阳能组件生产记录 • 太阳能电池入境与出境记录

The UFLPA Potential Input Process (Continued)



Exception Request or Applicability Review Approved by CBP

If CBP grants the exception or otherwise determines that the goods are admissible through an applicability review, the POE will work with the Center and the importer or their representative to release the detained goods. An importer should contact the POE if the Center notifies it of the approval and it does not see a release authorization in the Cargo Release System.



If Exception is Granted, CBP Notifies Congress within 30 Days

Following CBP's granting of an exception, CBP will notify Congress of this determination within 30 days.

Under Section 3(c) of the UFLPA, CBP must notify Congress of any exceptions granted. CBP must provide a report to Congress identifying the good and the evidence considered in granting an exception.[10]



Exception Request or Applicability Review Denied by CBP

If CBP denies the request, the POE will issue an exclusion notice and instruct the importer that they may export, destroy, or contest the CBP exclusion of goods within 180 days. The importer's next step is to follow 3E or 6A.



Importer Exports or Destroys Goods (180 Days)

Importers can either export or destroy the goods within 180 days of exclusion. Importers should notify the POE that they intend to exercise one of these two options. Importers are responsible for all costs involved with the storage, exportation, or destruction of the goods.



CBP Excludes Goods if No Action after 30 Days

If the importer takes no action in the 30 days after the merchandise is presented to CBP for examination, the detained shipment is deemed excluded, and CBP will issue an exclusion notice. The importer's next step is to follow 5A or 6A.

[10] UFLPA, Pub. L. No. 117-78, § 3(c), 135 Stat. 1525 (2021).

UFLPA



CBP 批准的例外请求或适用性审查

如果 CBP 批准例外或以其他方式通过适用性审查认定货物可接受(准予入境),POE 将与中心及进口商或其代表协作放行被扣留货物。如果中心通知进口商已获批准，但进口商在货物放行系统中未见放行授权，应联系 POE。



如果例外获批，*CBP* 在 *30* 天内通知国会 CBP 批准例外后，将在 30 天内就此裁定通知国会。

根据 UFLPA 第 3(c) 条，CBP 必须将批准的任何例外通知国会。CBP 必须向国会提交报告，指明该商品及批准例外时所考虑的证据。[10]



CBP 驳回的例外请求或适用性审查

如果 CBP 驳回请求，POE 将发出排除通知，并告知进口商可在 180 天内将货物出口、销毁或对 CBP 的货物排除提出异议。进口商的下一步是遵循 3E 或 6A。



进口商出口或销毁货物(180 天)

进口商可在排除后 180 天内将货物出口或销毁。进口商应通知 POE 其打算行使这两种选择之一。进口商承担货物的仓储、出口或销毁所涉及的所有费用。



若*30*天后未采取行动，*CBP*将排除相关商品

如果进口商在货物提交 CBP 查验后 30 天内未采取任何行动，被扣留的货物即视为被排除，CBP 将签发排除通知。进口商的下一步是遵循 5A 或 6A。

[10] UFLPA, Pub. L. No. 117-78,3(c), 135 Stat. 1525 (2021).

This section discussed the **UFLPA Potential Input Process** that CBP follows when CBP has information to indicate that goods **may be** mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List*.

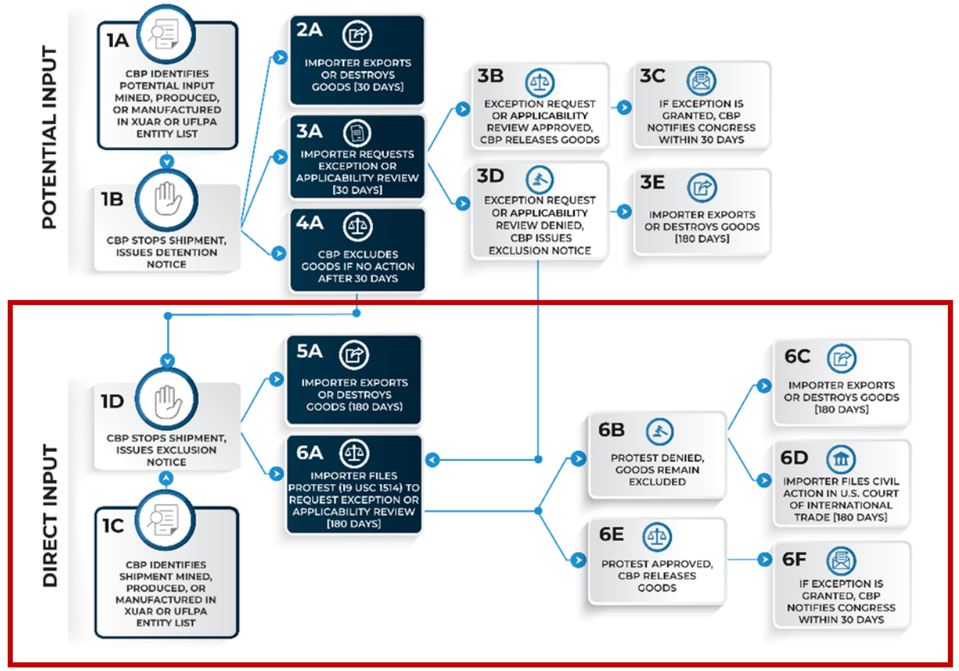
The next section will discuss the **UFLPA Direct Input Process** that CBP follows when CBP has information to indicate merchandise entering the United States **is** mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List*.

本节讨论了 CBP 在有信息表明货物　　全部或部分在 XUAR 开采、生产或制造，或由*UFLPA* 实体清单上的实体开采、生产或制造时所遵循的**UFLPA**　　。

下一节将讨论 CBP 在有信息表明进入美国的货物　全部或部分在 XUAR 开采、生产或制造，或由*UFLPA* 实体清单上的实体开采、生产或制造时所遵循的**UFLPA**　　。

The UFLPA Direct Input Process

The enforcement steps below explain the process under which a shipment is stopped under The UFLPA Direct Input Process and how to respond as outlined in the bottom portion of the graphic.





A **direct input** occurs when there is information to indicate that a good is mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List*. If CBP determines that a shipment contains direct input, the goods will be excluded.

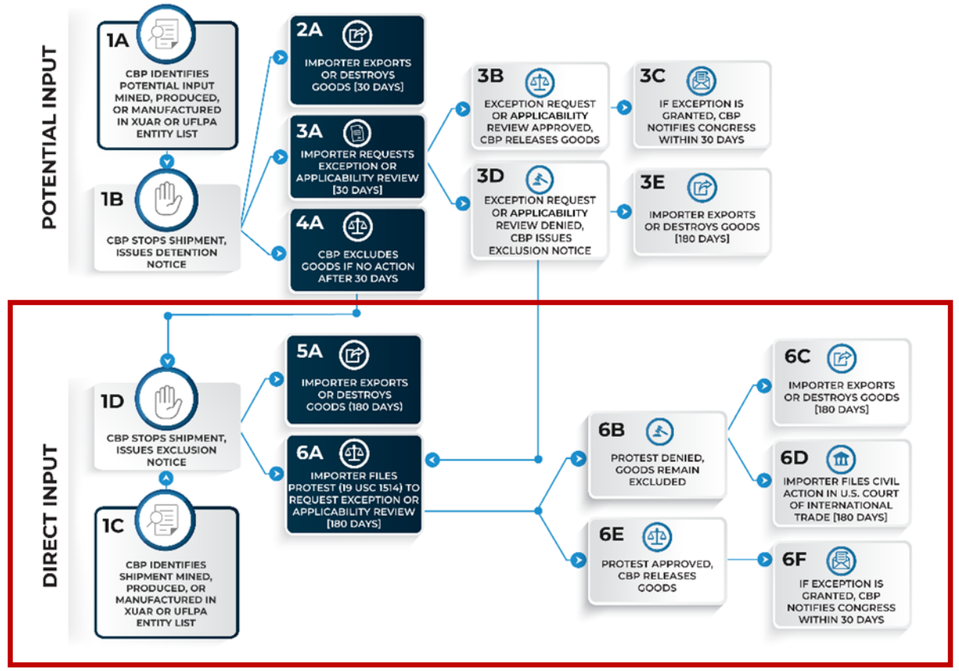


CBP Stops Shipment, Issues Exclusion Notice

CBP issues an exclusion notice.

UFLPA

以下执法步骤说明了根据 UFLPA 直接投入流程扣留货物的过程，以及如图形下半部分所述如何应对。





当有信息表明货物全部或部分在 XUAR 开采、生产或制造，或由*UFLPA* 实体清单上的实体开采、生产或制造时，即构成 。如果 CBP 认定某批货物含有直接投入，该货物将被排除。



CBP 扣留货物并签发排除通知 CBP 签发排除通

What is a UFLPA Exclusion?

- CBP excludes goods that are deemed to violate UFLPA and prohibits their entry into the United States. Exclusion occurs if CBP has information that **indicates that merchandise is produced, wholly or in part, by entities in the XUAR or an entity on the *UFLPA Entity List*.** Goods may also be excluded after CBP has reviewed the supply chain documentation provided by the importer and determined that the **importer has failed to provide sufficient evidence** to support goods were **NOT** mined, produced, or manufactured wholly or in part in the XUAR or by an entity on the *UFLPA Entity List* or **failed to demonstrate that it qualifies** for an exception to the UFLPA using clear and convincing evidence.
- If CBP decides to exclude merchandise, the exclusion notice represents CBP's decision to prevent the importation of goods that it deems to be prohibited. CBP will issue an exclusion notice advising the importer or other interested party of the following:
  1. CBP will specify why the goods are excluded.
  2. The exclusion notice will inform the importer of their right to file a protest under 19 U.S.C. § 1514 to challenge the exclusion decision.
  3. Importers may either file a protest to contest the exclusion or take corrective action, such as export or destroy goods within 180 days.



Importer Exports or Destroys Goods (180 Days)

Importers can either export or destroy the goods within 180 days of exclusion. Importers should notify the POE to exercise one of these two options. Importers are responsible for all costs involved with the storage, exportation, or destruction of the goods.



Importer Files Protest (19 U.S.C. § 1514) to Request Exception or Applicability Review (180 Days)

The importer also has the option to file a protest to request an exception or applicability review using the ACE Protest module within 180 days.

- When filing a protest, importers must select "Merchandise Excluded from Entry" as the "Issue" and one of the following for the "Secondary Issue"
  - UFLPA Exception Review
  - UFLPA Applicability Review (refer to CSMS#60161177).

什么是UFLPA排除?

- CBP 对被视为违反 UFLPA 的货物予以排除(不予放行)，并禁止其入境美国。如 CBP 掌握信息，**UFLPA** 则予以排除(不予放行)。在 CBP 审查进口商提供的供应链文件并认定 证明货物 全部或部分在新疆维吾尔自治区开采、生产或制造，或并非由*UFLPA* 实体清单上的实体开采、生产或制造，或 UFLPA 例外情形(须以清晰且令人信服的证据证明)之后，货物亦可被排除(不予放行)。

- 如果 CBP 决定排除货物，排除通知即代表 CBP 阻止其认定为禁止入境的货物进口的决定。CBP 将签发排除通知，告知进口商或其他利害关系方以下事项：

  1. CBP将说明货物被排除的原因。
  2. 排除通知将告知进口商其有权根据 19 U.S.C.1514 提出抗议，以质疑排除决定。
  3. 进口商可以提出抗议以对排除提出异议，或采取纠正措施，例如在 180 天内将货物出口或销毁。



进口商出口或销毁货物(180 天)

进口商可以在排除后 180 天内将货物出口或销毁。进口商应通知 POE 以行使这两种选择之一。进口商负责与货物仓储、出口或销毁相关的所有费用。



进口商提出抗议*(19 U.S.C.1514)*以请求例外审查或适用性审查*(180 天)*

进口商还可以选择在 180 天内使用 ACE 抗议模块提出抗议，以请求例外审查或适用性审查。

- 提出抗议时，进口商必须将"Merchandise Excluded from Entry"选为"Issue"，并从以下选项中选择一项作为"Secondary Issue"
  - o UFLPA 例外审查
  - o UFLPA 适用性审查(参见 CSMS#60161177)。



If CBP denies the protest, the goods will remain excluded as indicated by the exclusion notice.



The importer can either export or destroy the goods within 180 days of the date of the denial of a protest.



The importer can file a civil action in the U.S. Court of International Trade within 180 days of the date of the denial of a protest.



If the protest is approved, CBP releases the goods.



If protest is for an exception review which is approved and granted, CBP will release the goods and notify Congress of this determination within 30 days.

Under Section 3(c) of the UFLPA, CBP must notify Congress of any exceptions granted to the rebuttable presumption. CBP must provide a report to Congress identifying the good and the evidence considered in granting an exception.[11]

[11] UFLPA, Pub. L. No. 117-78, § 3(c), 135 Stat. 1525 (2021).



如果 CBP 驳回抗议，货物将如排除通知所示继续被排除。



进口商可以在抗议被驳回之日起 180 天内将货物出口或销毁。



进口商可以在抗议被驳回之日起 180 天内向美国国际贸易法院提起民事



如果抗议获得批准，CBP放行货物。



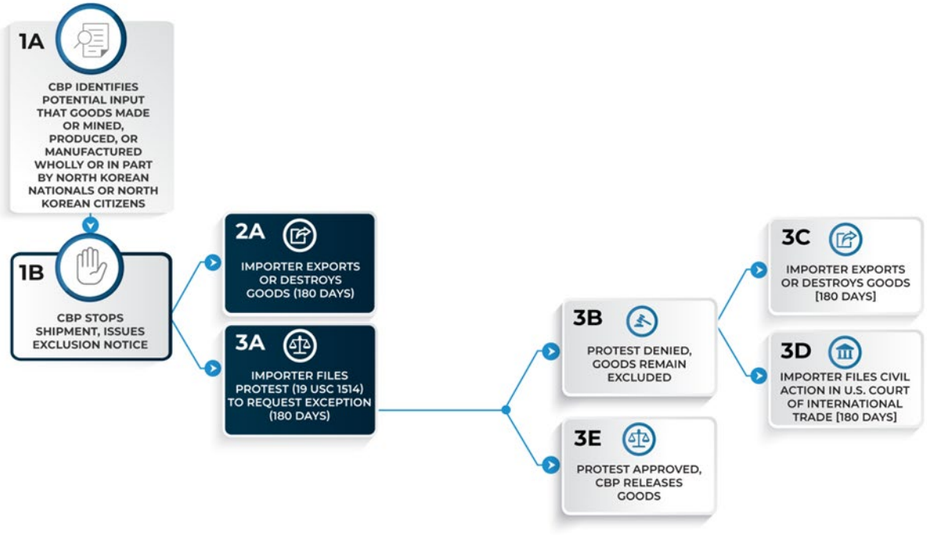
如果抗议是针对例外审查且该审查获得批准和准予，CBP 将放行货物，并在 30 天内将此裁定通知国会。

根据 UFLPA 第 3(c) 条，CBP 必须将任何针对可反驳推定的例外准予情况通知国会。CBP 必须向国会提交报告，说明所涉货物以及在准予例外时所考虑的证据。[11]

[11] UFLPA, Pub. L. No. 117-78,3(c), 135 Stat. 1525 (2021).

The Importation Process and Enforcement of CAATSA

The enforcement steps below explain the process by which a shipment is stopped under CAATSA and options for importers to respond.



The CAATSA Enforcement Process



CBP Identifies Shipment Mined, Produced, or Manufactured by North Korean Nationals or Citizens Anywhere in the World

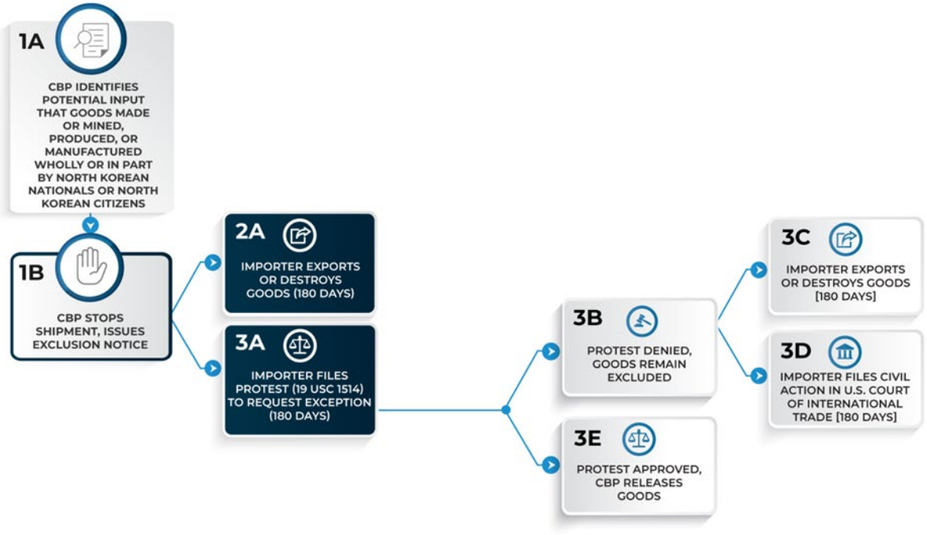


CBP Stops Shipment, Issues Exclusion Notice

If CBP determines that a shipment violates CAATSA, CBP will stop the shipment and issue an exclusion notice.

CAATSA

以下执法步骤说明了根据 CAATSA 扣留货物的过程以及进口商可采取的应对选项。



CAATSA



CBP 识别出由世界任何地方朝鲜国民或公民开采、生产或制造的货物



CBP 截停货物并发出排除通知

如果 CBP 认定某批货物违反 CAATSA,CBP 将扣留该批货物并签发排除通知

What is a CAATSA Exclusion?

- CBP excludes goods that are deemed to violate CAATSA and prohibits their entry into the United States. Exclusion occurs if CBP has information that indicates that merchandise is produced, wholly or in part, by North Korean citizens or nationals. Goods may also be excluded after CBP has reviewed the supply chain documentation provided by the importer and determined that the **importer has failed to provide clear and convincing evidence** to show that goods were **NOT** mined, produced, or manufactured wholly or in part by North Korean citizens or nationals and **failed to demonstrate that it qualifies** for an exception to CAATSA.
- If CBP decides to exclude merchandise, the exclusion notice represents CBP's decision to prevent the importation of goods that it deems to be prohibited. CBP will issue an exclusion notice advising the importer or other interested party of the following:
  1. CBP will specify why the goods are excluded. Typically, the excluded goods were mined, produced, or manufactured, wholly or in part, by North Korean citizens or nationals.
  2. The exclusion notice will inform the importer of their right to file a protest under 19 U.S.C. § 1514 to challenge the exclusion decision.

     Importers may file a protest to contest the exclusion by demonstrating that they qualify for an exception to the rebuttable presumption. Importers may also elect to export or destroy the excluded goods.



Importer Exports or Destroys Goods (180 Days)

Importers can either export or destroy the goods within 180 days of exclusion. Importers should notify the POE to exercise one of these two options. Importers are responsible for all costs involved with export or destruction.



Importer Files Protest (19 U.S.C. § 1514) to Request Exception Review (180 Days)

The importer also has the option to file a protest to request an exception review using the ACE Protest module within 180 days.

- Importers must select "Merchandise Excluded from Entry" as the "Issue" and "CAATSA Exception Review" for the "Secondary Issue" (CSMS # 64151118).

什么是CAATSA排除条款?

- CBP 对被视为违反 CAATSA 的货物予以排除(不予放行)，并禁止其入境美国。如 CBP 掌握信息表明货物全部或部分由朝鲜公民或国民生产，则予以排除(不予放行)。在 CBP 审查进口商提供的供应链文件并认定 证明货物 全部或部分由朝鲜公民或国民开采、生产或制造，且 CAATSA 例外情形之后，货物亦可被排除(不予放行)。

- 如果 CBP 决定排除货物，排除通知即代表 CBP 阻止其认定为禁止入境的货物进口的决定。CBP 将签发排除通知，告知进口商或其他利害关系方以下事项：1. CBP 将说明货物被排除的原因。通常，被排除的货物系全部或部分由朝鲜公民或国民开采、生产或制造。

2. 排除通知将告知进口商其有权根据 19 U.S 1514 以质疑排除决定。

   进口商可以提出抗议，通过证明其符合可反驳推定的例外条件来对排除提出异议。进口商也可以选择将排除的货物出口或销毁。



进口商出口或销毁货物(180 天)

进口商可以在排除后 180 天内将货物出口或销毁。进口商应通知 POE 以行使这两种选择之一。进口商负责与出口或销毁相关的所有费用。



进口商提出抗议*(19 U.S.C.1514)*以请求例外审查*(180* 天*)*

进口商还可以选择在 180 天内使用 ACE 抗议模块提出抗议，以请求例外审查。

- 进口商必须将"Merchandise Excluded from Entry"选为"Issue"，并将"CAATSA Exception Review"选为"Secondary Issue"(CSMS # 64151118)。

What is a CAATSA Exception Review Request?

- An exception review under CAATSA is when importers contend that their goods **were produced** or manufactured with North Korean nationals or citizens, **however,** the goods were not produced, wholly or in part, with convict labor, forced labor, or indentured labor under penal sanctions.
- Importers should be prepared to submit evidence similar to the types of documentation outlined in Section VI(C) of the *UFLPA Strategy*, including documentation which demonstrates, by **clear and convincing evidence,** that goods mined, produced, or manufactured, wholly or in part, by North Korean nationals or citizens were not mined, produced, or manufactured with convict labor, forced labor, or indentured labor under penal sanctions.
- The evidence required from the importer will vary based on the facts and circumstances of the import in question. Importers can consult the documentation outlined in Section VI(C) of the *UFLPA Strategy* and Appendix F of this document for an example of the evidence that may be submitted to CBP as part of a CAATSA exception review request.
- *Please note that CBP may request that importers provide additional evidence beyond what is listed to demonstrate the admissibility of goods.*
- Importers can also contend that CAATSA does not apply to the shipment that was excluded and provide evidence to support their claim.

3B PROTEST DENIED, GOODS REMAIN EXCLUDED	If CBP denies the protest, the goods will remain excluded as indicated by the exclusion notice.
3C IMPORTER EXPORTS OR DESTROYS GOODS [180 DAYS]	The importer can either export or destroy the goods within 180 days of the denial of protest.
3D IMPORTER FILES CIVIL ACTION IN U.S. COURT OF INTERNATIONAL TRADE [180 DAYS]	The importer can file a civil action in the U.S. Court of International Trade within 180 days of the denial of a protest.
3E PROTEST APPROVED, CBP RELEASES GOODS	If the protest is approved, CBP releases the goods.

什么是CAATSA例外审查请求?

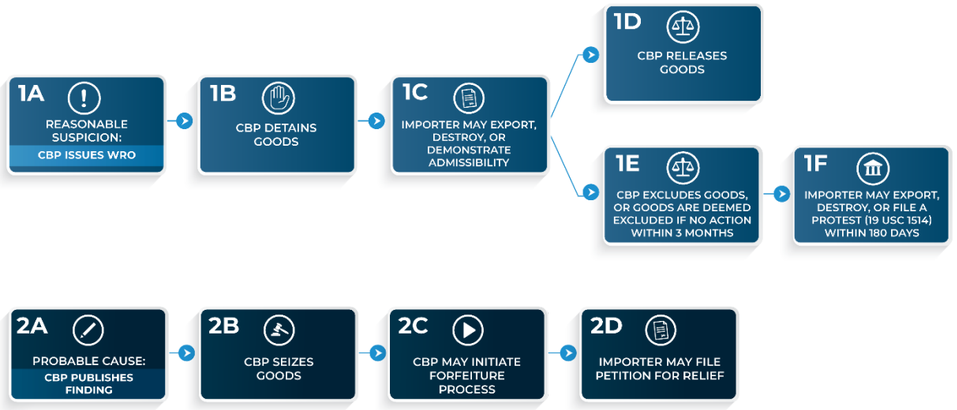
- CAATSA 下的例外审查是指进口商主张其货物 或制造， 该货物并非全部或部分使用罪犯劳动、强迫劳动或刑事制裁下的契约劳动生产。
- 进口商应准备好提交与《UFLPA 战略》第六(C)节所列文件类型类似的证据，包括能够以清晰且令人信服的证据证明由朝鲜国民或公民全部或部分开采、生产或制造的商品并非使用罪犯劳动、强迫劳动或刑事制裁下的契约劳动开采、生产或制造的文件。
- 要求进口商提供的证据将根据有关进口的事实和情况而有所不同。进口商可查阅《UFLPA 战略》第 VI(C) 节及本文件附录 F 所列文件，作为可向 CBP 提交、作为 CAATSA 例外审查请求一部分的证据示例。
- 请注意，*CBP* 可能要求进口商提供清单所列内容之外的额外证据，以证明货物的可接受性*(*是否准予入境*)*。
- 进口商也可主张 CAATSA 不适用于被排除的货物，并提供支持其主张的证据。

3B PROTEST DENIED, GOODS REMAIN EXCLUDED	如果 CBP 驳回抗议，货物将如排除通知所示继续被排除。
3C IMPORTER EXPORTS OR DESTROYS GOODS [180 DAYS]	进口商可在抗议被驳回后 180 天内将货物出口或销毁。
3D IMPORTER FILES CIVIL ACTION IN U.S. COURT OF INTERNATIONAL TRADE [180 DAYS]	进口商可在抗议被驳回后 180 天内向美国国际贸易法院提起民事诉讼。
3E PROTEST APPROVED, CBP RELEASES GOODS	如果抗议获得批准，CBP放行货物。

THE FORCED LABOR ENFORCEMENT REVIEW PROCESS

Outside of UFLPA and CAATSA, CBP investigates allegations of forced labor under 19 U.S.C. § 1307, under procedures outlined in 19 C.F.R. §§ 12.42-19 C.F.R. §§ 12.45.[12] Importers can learn more about active WROs and Findings on CBP's interactive WROs and Findings Dashboard.[13]

The enforcement steps below explain the process by which a shipment is detained or seized under a WRO or a Finding and how importers can respond.



WROs



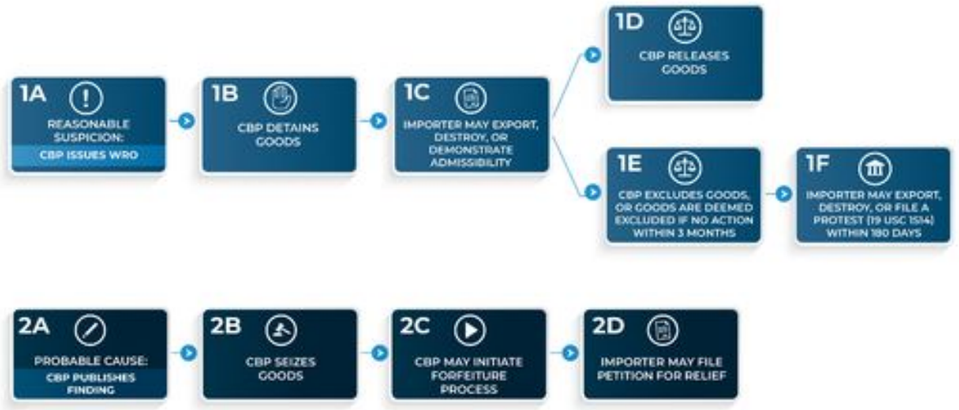
CBP issues a WRO when it has reasonable suspicion that goods were produced, wholly or in part, using convict labor, forced labor, or indentured labor under penal sanctions, and that such goods are being, or are likely to be, imported.



Goods subject to a WRO will be detained by CBP at any POE under 19 C.F.R. § 12.42(e). CBP will issue a Notice of Detention (CBP Form 6051D).

[12] Includes 19 C.F.R. §§ 12.43 and 19 C.F.R. §§ 12.44.
[13] WROs and Findings Dashboard, www.cbp.gov/newsroom/stats/trade/withhold-release-orders-findings-dashboard.

除 UFLPA 和 CAATSA 之外，CBP 依据 19 U.S.C.12.45所规定的程序调查强迫劳动指控。[12]进口商可在 CBP 的交互式WRO 与裁定仪表板上进一步了解现行 WRO 与裁定。[13]以下执法步骤说明依据 WRO 或裁定对货物实施扣留或扣押的流程，以及进口商可如何应对。



暂扣令



当 CBP 有合理怀疑认为货物系全部或部分使用刑事劳动、强迫劳动或惩役性契约劳动生产，且此类货物正在或可能被进口时，CBP 会发布 WRO。



受 WRO 约束的货物将由 CBP 依据 19 C.F.R. § 12.42(e) 在任何 POE 予以扣留。CBP 将签发扣留通知（CBP 表格 6051D）。

12
13 《暂扣令与认定看板》,www.cbp.gov/newsroom/stats/trade/withhold-release-orders-findings-dashboard。

Differences in Forced Labor Detentions

WRO Detentions	UFLPA and CAATSA Detentions
• **Importers have <u>three months</u>** to demonstrate that goods are not subject to a WRO. • Importers may export or destroy the detained goods.	• Importers have **<u>30 Days</u>** to demonstrate that their goods are not subject to the UFLPA/CAATSA or that they meet the qualifications as an exception. • Importers may export or destroy the detained goods. • Extensions are provided and must be received before the 30-day period expires.

1C IMPORTER MAY EXPORT, DESTROY, OR DEMONSTRATE ADMISSIBILITY

Upon detention, the importer has three months to export or destroy the goods or request an Admissibility Review by providing evidence demonstrating the goods are not subject to a WRO or that the goods were not produced, wholly or in part, with forced labor.

<u>Detention Information</u>

- Any importer that wishes to challenge CBP's decision to detain goods by requesting an admissibility review is responsible for all storage costs during the entirety of the review until CBP issues its final determination.

! - CBP may require a basic **single-transaction** importation bond (19 C.F.R. § 113.62(g)(2)) for three times the value of detained goods when forced labor is suspected.[14] This bond protects the government's interest under conditions set forth in the basic importation and entry bond while the importer works to resolve the issue, such as providing evidence to demonstrate that the goods were not produced using forced labor.

[14] 19 C.F.R. § 113.62(g)(2).

	UFLPA和CAATSA扣留
•	• 进口商有**30** 的时间来 证明其货物并非 受UFLPA/CAATSA约束，或符合作为.....的资格 • 进口商可以出口或销毁该 扣留货物。 • 已提供延期，且必须 在30天期限届满前收到

1C IMPORTER MAY EXPORT, DESTROY, OR DEMONSTRATE ADMISSIBILITY

扣留后，进口商有三个月时间将货物出口或销毁，或通过提供证明货物不受 WRO 约束或货物并非全部或部分使用强迫劳动生产的证据，请求可接受性审查。

任何希望质疑CBP扣留货物决定的进口商，可通过
请求可接受性审查的一方负责整个审查期间直至 CBP 作出最终裁定前的全部仓储费用。

! CBP 可要求提供基本 进口保证金(19 C.F.R. 113.62(g)(2))，在怀疑存在强迫劳动时，金额为被扣留货物价值的三倍。[14]该保证金在进口商着手解决问题期间(例如提供证据证明货物并非使用强迫劳动生产)，依据基本进口与入境保证金中规定的条件保护政府利益。

14 19 C.F.R.113.62(g)(2)。

What is an Admissibility Review Request?

- As required by 19 C.F.R. § 12.43 (a), (b), an importer ***must provide*** the required documentation within three months after the date the good(s) were imported:
  1. Certificate of Origin signed by the foreign seller (which may be submitted in electronic form). A standard Certificate of Origin is not acceptable. The required format for the Certificate of Origin is detailed in 19 C.F.R. § 12.43(a) and Appendix M: Certificate. **This certification should be from the last manufacturing process or exporter.** *Please note that this is only part of a complete Admissibility Review Request submission and **cannot be used by itself** to prove admissibility for release of cargo.*
  2. A detailed statement from the importer, as outlined in 19 C.F.R. § 12.43(b). This statement should be submitted by the importer, not the seller. The importer's statement should be **sufficiently detailed and include proof that the goods were not produced**, wholly or in part, with convict labor, forced labor, or indentured labor under penal sanctions or that the goods were not produced, wholly or in part, by an entity identified in the WRO.
  3. The importer must also show that they **conducted supply chain due diligence and tracing.** The type, nature, and extent of evidence required from the importer, however, will vary based on the facts and circumstances of the import in question.
  4. Request must be submitted via the Forced Labor Portal (https://flportal.cbp.gov/).

Best Practices for Admissibility Review Request Supply Chain Documentation:

- Importers should provide a detailed description of the supply chain for the imported goods and components, including:
  - Who: All documents with the names and the roles of the entities involved at each stage of the supply chain, as well as the relationship between the entities (e.g., whether a supplier is also a manufacturer).
  - Where: All documents pertaining to in-house manufacturing, sub-assembly operations, and outsourced production related to the imported goods.
  - How: Documentation on the steps of sourcing, manufacturing, or processing of the imported goods in third countries.
  - What: Components from which the imported goods were made, from raw materials to finished imported goods.

Appendix E, although not an exhaustive list, provides information on the types of supply chain-tracing documentation that an importer can use to support their Admissibility Review Request submission.

什么是可受理性审查请求?

- 依据 19 C.F.R. § 12.43(a)、(b)，进口商必须在货物进口之日起三个月内提交所需文件：

1. 由境外卖方签署的原产地证书（可采用电子形式提交）。标准格式的原产地证书不予接受。原产地证书所需格式详见 19 C.F.R. § 12.43(a) 及附录 M：证书。该证明应由最后一道制造工序的厂商或出口商出具。请注意，这只是可受理性审查请求完整材料的一部分，不能单独用于证明货物可获放行。
2. 进口商出具的详细陈述，如 19 C.F.R. § 12.43(b) 所述。该陈述应由进口商提交，而非卖方。进口商的陈述应足够详细，并包含证明货物并非全部或部分使用罪犯劳动、强迫劳动或刑事制裁下的契约劳动生产，或货物并非全部或部分由暂扣令（WRO）所列实体生产的证据。
3. 进口商还必须证明其开展了供应链尽职调查和追溯。然而，要求进口商提供的证据类型、性质和范围，将根据有关进口的事实和情况而有所不同。
4. 请求必须通过强迫劳动门户（https://flportal.cbp.gov/）提交。

可受理性审查请求供应链文件的最佳实践：

- 进口商应提供进口货物及组件的供应链详细说明，包括：
  - 何人：载明供应链各阶段所涉实体名称与角色、以及实体之间关系（例如供应商是否同时也是制造商）的所有文件。
  - 何地：与进口货物的内部制造、分装作业和外包生产有关的所有文件。
  - 如何：关于在第三国采购、制造或加工进口货物各步骤的文件。
  - 何物：制造进口货物所使用的组件，从原材料到成品进口货物。

附录 E 虽非详尽清单，但提供了进口商可用于支持其可受理性审查请求提交的供应链追溯文件类型的信息。



If the evidence submitted is sufficient to demonstrate the goods are admissible, CBP will release the goods.

If an importer cannot demonstrate admissibility, or if the importer takes no action within three months of importation, CBP will issue a WRO Exclusion Notice and exclude the goods from entry into the United States.



If importers fail to respond to the detention notice within 3 months, then the shipment is deemed excluded.



Once CBP issues an exclusion notice, the importer can export or destroy the goods, or challenge CBP's exclusion by filing a Protest under 19 U.S.C. § 1514 (CBP Form 19) within 180 days from the WRO Exclusion Notice date. Importers should notify the POE to exercise the options to export or destroy. Importers are responsible for all costs involved with storage, export, or destruction.

Findings



CBP issues a Finding of forced labor when it has probable cause to believe that specific goods are produced using convict labor, forced labor, or indentured labor under penal sanctions and that such goods are being, or are likely to be, imported.



Goods subject to a Finding may be seized under 19 U.S.C. § 1595a 19 U.S.C. § 1595a(c)(1)(A) and/or 19 U.S.C. § 1595a(c)(2)(A); 19 U.S.C. § 1307; and 19 C.F.R. § 12.42(f) as violating 19 U.S.C. § 1307. **Importers cannot export goods that are subject to a Finding.**[15]

Findings are published in the Federal Register and Customs Bulletin as well as posted to CBP's WROs and Findings Dashboard on cbp.gov.

[15] 19 U.S.C. § 1595a(c), 19 C.F.R. § 12.42(g).



如果提交的证据足以证明货物可接受(准予入境),CBP 将放行货物。

如果进口商无法证明可接受性，或进口商在进口后三个月内未采取任何行动，CBP 将发布 WRO 排除通知，并将货物排除在进入美国之外。



如果进口商未在 3 个月内对扣留通知作出回应，则该批货物视为被排除



一旦 CBP 发布排除通知，进口商可将货物出口或销毁，或通过提交

根据 19 U.S.C.1514 在 WRO 排除通知之日起 180 天内提出异议(CBP Form 19)。进口商应通知 POE 以行使出口或销毁的选择权。进口商承担与仓储、出口或销毁相关的所有费用。



当 CBP 有合理理由相信特定货物系使用罪犯劳动、强迫劳动或根据刑事制裁的契约劳动生产，且该等货物正在或可能被进口时，CBP 会发布强迫劳动认定。



被认定存在违规情形的货物，可依据《美国法典》第19编第1595a条予以扣押。U.S.C.1595a(c)(1)(A) 和/或 19 U.S.C.1595a(c)(2)(A)；19《美国法典》第19编第1307条；以及《联邦法规汇编》第19编第12.42(f)条，违反《美国法典》第19编第1307.[15]

认定会在《联邦公报》和《海关公报》上公布，并发布在 cbp.gov 上 CBP 的 WRO 与认定仪表板上。cbp.gov

15 19 U.S.C.1595a(c)，19 C.F.R.12.42(g)。

Seizures

Imports found to be subject to a Finding may be subject to seizure.[16] When CBP decides to seize a shipment subject to a Finding, the case will be referred to the Fines Penalties and Forfeiture officer (FPFO) at the POE.

Property may be seized for violations of 19 U.S.C. § 1307 or other customs and related laws. In a seizure, a government official **takes physical possession of merchandise** or other articles, such as a vehicle, vessel, or aircraft. Under the trade and customs laws, there are two types of seizures:

1. The first is where a law provides for forfeiture of the property (*in rem*). In these situations, if the forfeiture is carried out through appropriate judicial or administrative means, the seized property will become the property of the Federal government and the owner, and any other claimants, will lose their interest in the property. In most of these cases, the forfeiture relates back to the time of the offense. The United States obtains title over the seized merchandise or property from that date.
2. In the second type of seizure, the property is seized to secure payment of a monetary penalty (*in personam*).[17] If the penalty is not paid, the property will be sold by the Federal government at auction to pay the penalty, with the balance being subject to claims of the owners, lien holders or other lawful claimants.

To initiate seizure of an object for more than a brief, temporary purpose, CBP must have **probable cause** to believe that there was a violation of a customs law or other law(s) enforced by CBP with respect to specific property (e.g., undeclared or smuggled property; counterfeit trademark goods). If, pursuant to statutory authority and CBP policy, property is seized, the seizure represents enforcement action against the property (i.e., a claim for forfeiture). Except in the case of seizures to secure payment of a penalty, the property, not the importer, is considered the violator. The FPFO will send the importer and all other interested parties a **Notice of Seizure** letter outlining the petition rights for interested parties.

The FPFO notices will advise the importer how to provide information to CBP for review, as well as the deadline for submitting a petition. Petitions and supplemental petitions will be reviewed by the FPFO or CBP Regulations and Rulings following existing processes and delegations of authority and collaboration with internal stakeholders.

[16] 19 U.S.C. § 1595a; 19 C.F.R. parts 162 and 171.
[17] 19 U.S.C § 1592(c)(14).

被认定受认定约束的进口货物可能被扣押。[16]当 CBP 决定扣押受认定约束的货物时，案件将移交至入境口岸(POE)的罚款、处罚与没收官员(FPFO)。

因违反 19 U.S.C.1307 或其他海关及相关法律，财产可能被扣押。在扣押中，政府官员或其他物品，例如车辆、船舶或航空器。根据贸易与海关法律，扣押分为两类：

1.第一种情形是法律规定了财产没收(对物)。在此类情形下，如没收通过适当的司法或行政途径执行，被查封财产将成为联邦政府财产，所有权人及任何其他主张权利人均丧失对该财产的权益。在大多数此类案件中，没收追溯至犯罪发生之时。美国自该日起取得对被查封货物或财产的所有权。

2. 在第二类扣押中，扣押财产是为了确保金钱处罚的支付(对人之诉)。[17]如果处罚未获支付，财产将由联邦政府拍卖出售以支付处罚，余额则受所有人、留置权人或其他合法主张权利人的主张约束。

为启动对物品的查封，且目的超出短暂、临时性用途，CBP 必须有 相信就特定财产(例如未申报或走私的财产；假冒商标商品)存在违反海关法或 CBP 执行的其他法律的情形。如果依据法定权限和 CBP 政策查封财产，该查封即代表针对该财产的执法行动(即没收主张)。除为担保处罚缴纳而实施的查封外，被视为违规者的是财产而非进口商。FPFO 将向进口商及所有其他利害关系方发送 函件，概述利害关系方的申请(减免)权利。

FPFO 通知将告知进口商如何向 CBP 提供信息以供审查，以及提交申请的截止期限。申请和补充申请将由 FPFO 或 CBP 法规与裁定部门按照现有程序和授权 与内部利益相关方协作进行审查。

[16]19 U.S.C.1595a;19 C.F.R.第162部分和第171部分。
17 19 U.S.C1592(c)(14)。



CBP may begin forfeiture proceedings under 19 C.F.R. Part 162, subpart E and 19 C.F.R. Part 171. Unless the importer demonstrates that the goods were not produced with forced labor, they will be forfeited and destroyed.

Forfeiture

Prohibited merchandise, such as imports determined to be in violation of a Finding, are generally seized by CBP pursuant to the administrative forfeiture process outlined in 19 U.S.C. § 1607.

Refer to the Mitigation Guidelines for additional information on seizure/forfeiture processes.

In the case of goods or other property subject to administrative forfeiture, a **Notice of Seizure** is sent to known parties having an interest in the seized property, which advises them of their options. Generally, these parties may:

- Choose to do nothing, in which case the government will begin forfeiture proceedings by publishing a notice in a newspaper on the date specified in the notice of seizure;
- Request that CBP begin forfeiture proceedings sooner than the date specified in the notice;
- File a petition for relief (with a waiver of immediate institution of forfeiture proceedings);
- Make an offer in compromise, under 19 U.S.C. § 1617, to settle the case; or
- File a claim and cost bond to initiate immediate referral to the U.S. attorney for the institution of judicial forfeiture.



- The importer may file an official petition for relief from forfeiture.



CBP 可根据19 C.F.R.第 162 部分 E 子部分和19 C.F.R.第 171 部分启动没收程序。除非进口商证明货物并非使用强迫劳动生产，否则货物将被没收并销毁。

请参阅减轻处罚指南用于补充关于……的信息扣押/没收流程。

违禁商品，例如被认定违反认定的进口货物，通常由 CBP 依据行政没收予以扣押

19 U.S.C.1607中概述的程序。

对于受行政没收约束的货物或其他财产，会向对被扣押财产享有利益的已知当事方发送查封通知书会发送给对被查封财产享有利益的已知各方，该告知其可选方案。一般而言，这些当事方可以：

- 选择不作为，在此情况下政府将启动没收程序

  程序，在扣押通知指定的日期在报纸上发布通知；

- 请求 CBP 在扣押通知指定日期之前启动没收程序；

- 提交减免申请(并放弃立即启动没收程序);

- 根据19 U.S.C.1617提出和解提议以了结案件；或



Summary of the Forced Labor Enforcement Processes

The chart on the following page compares the forced labor enforcement processes using the following categories:

Forced Labor Enforcement Process	The name of the forced labor enforcement process is described (UFLPA Potential Input, UFLPA Direct Input, CAATSA, WRO or Finding).
Summary	A brief description of the enforcement process listed.
Authorities	The specific legal authority that authorizes CBP to enforce the enforcement process listed.
Does CBP Need to Investigate as outlined in 19 C.F.R. 12.42(d)?	The cell will display "Yes" or "No, rebuttable presumption applies."
Are Shipments Detained, Excluded, or Seized?	The cell will display "detained," "excluded," or "seized" per the following definitions: • Detained: CBP temporarily holds goods for further inspection. Importers may need to provide CBP with more information to complete the inspection. • Excluded: CBP issues a decision that the goods are prevented from entering the United States. The goods must be exported or destroyed. • Seized: CBP takes ownership of goods that violate U.S. laws. The importer and any other claimants will lose their property interest in the goods, and the goods may be destroyed or forfeited.
Options for Importer	The cell will outline the options available to the importer after their goods are detained, excluded, or seized. These options are to "export," "destroy," or "contest" the enforcement action.
Review Options	The review request type is available for detained or excluded goods and how to submit the review request.

摘要强迫劳动执法流程概述

	强迫劳动执法流程的名称(UFLPA 潜在投入、UFLPA 直接投入、CAATSA、WRO 或认定)。
	授权 CBP 执行所列执法流程的具体法律依据。
CBP **19 C.F.R.12.42 d**	
	• 扣留：CBP 暂时扣留货物以作进一步检查。进口商可能需要向 CBP 提供更多信息以 • 排除(不予放行):CBP 作出决定，阻止该货物进入美国。该货物必须出口或销毁。 • 扣押：CBP 对违反美国法律的货物取得所有权。进口商及任何其他主张权利人将丧失对该货物的财产权益，该货物可能被销毁或没收。
	该单元格将概述进口商在货物被扣留、排除(不予放行)或扣押后可选择的方案。这些方案为"出口""销毁"或对执法行动提出"异议"。
审查选项	

Documentation Requirements	These cells point importers to resources for gathering the documentation required for the available review request type.
Time Period for Importer to Exercise Options	The cell will indicate the time limit in which an importer must choose one of the available actions for how to respond to the detained or excluded goods.
Can you Request Extensions?	This cell states whether an importer can extend the time limit to respond to CBP.
CBP Decision/Action	CBP's possible decisions or actions in response to a review request.

	该单元格说明进口商是否可以延长答复 CBP 的期限。
CBP	CBP针对复审请求可能作出的决定或采取的行动。

FORCED LABOR ENFORCEMENT PROCESSES	UFLPA – POTENTIAL INPUT	UFLPA – DIRECT INPUT	CAATSA	WRO	FINDING
SUMMARY	UFLPA establishes the rebuttable presumption that goods mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List* are prohibited under 19 U.S.C. § 1307 and are not entitled to entry at any ports of the United States. A **potential input** occurs when there is information indicating that merchandise may be mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List.*	UFLPA establishes the rebuttable presumption that goods mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List* are prohibited under 19 U.S.C. § 1307 and are not entitled to entry at any ports of the United States. A **direct input** occurs when there is information to indicate merchandise is mined, produced, or manufactured, wholly or in part, in the XUAR or by an entity on the *UFLPA Entity List.*	CAATSA establishes the rebuttable presumption that goods mined, produced, or manufactured, wholly or in part, by North Korean nationals or citizens are prohibited under 19 U.S.C. § 1307 and are not entitled to entry at any of the ports of the United States.	When CBP has reasonable suspicion that goods mined, produced, or manufactured, wholly or in part, with convict labor, forced labor, or indentured labor under penal sanctions and such goods are being, or are likely to be imported into the United States, CBP issues a WRO to detain such goods. Importers have three months following the date of detention to demonstrate that the goods are admissible.	When CBP has probable cause that forced labor is used in the production of goods and that such goods are being, or likely to be imported into the United States, CBP issues a Finding which authorizes the seizure of such goods.
AUTHORITIES	P.L. No. 117-78	P.L. No. 117-78	22 U.S.C. § 9241a	19 U.S.C. § 1307	19 U.S.C. § 1307
DOES CBP NEED TO CONDUCT AN INVESTIGATION AS OUTLINED IN 19 C.F.R. 12.42(d)?	No, the rebuttable presumption applies	No, the rebuttable presumption applies	No, the rebuttable presumption applies	Yes	Yes

执法 流程	UFLPA - 潜在输入	UFLPA - 直接输入	CAATSA	暂扣令	认定
摘要	UFLPA规定 UFLPA实体清单是 根据19 U.S 1307及 A 或部分在新疆维吾尔自治区或由UFLPA实体清单上的实体。	UFLPA规定 UFLPA实体清单是 根据19 U.S .C.1307 且是 A 发生 或部分，在新疆维吾尔自治区或由UFLPA实体清单上的实体。	CAATSA确立 部分由North 依据《美国法典》第19编第1307条	当CBP已 合众国，CBP 对.....发布暂扣令以扣留	当CBP有合理 美国，CBP发布
当局	P.L 第117-78号	P.L 第117-78号	《美国法典》第22编第9241a条	19 U.S.C.1307	19 U.S.C.1307
CBP **19 C.F.R.12.42 d**					

FORCED LABOR ENFORCEMENT PROCESSES	UFLPA – POTENTIAL INPUT	UFLPA – DIRECT INPUT	CAATSA	WRO	FINDING
ARE SHIPMENTS DETAINED, EXCLUDED OR SEIZED?	Detained or Excluded	Excluded	Excluded	Detained	Seized
OPTIONS FOR IMPORTER	Export, destroy goods, or demonstrate admissibility either during detention process or during a protest.	Export, destroy goods, or demonstrate admissibility during a protest.	Export, destroy goods, or demonstrate admissibility during a protest.	Export, destroy goods, or demonstrate admissibility either during detention process or during a protest.	Contest seizure of goods.
REVIEW OPTIONS	Request through the Forced Labor Portal (https://flportal.cbp.gov/): Applicability Reviews or Exception Reviews	Submit protest under 19 U.S.C. § 1514 via the Forced Labor Portal (https://flportal.cbp.gov/): Applicability Reviews or Exception Reviews	Submit protest under 19 U.S.C. § 1514 via the Forced Labor Portal (https://flportal.cbp.gov/): Exception Reviews	Submit supporting information through the Forced Labor Portal (https://flportal.cbp.gov/): Admissibility Reviews	Submit petition to FPFO on seizure notice under 19 C.F.R. Part 162, subpart E and 19 C.F.R. Part 171.

执法 流程	UFLPA - 潜在输入	UFLPA - 直接输入	CAATSA	暂扣令	认定
扣留， 查封？					
进口商					
	(https://flportal.cbp.gov/):	根据19 U.S.C.1514通过 (https://flportal.cbp.gov	根据19 U.S.C.1514通过 (https://flportal.cbp.gov	(https://flportal.cbp.gov	向FPFO提交申请（减免） 19 C.F.R. 第162部分E子部分及19 C.F.R. 第171部分。

DOCUMENTATION REQUIREMENTS	Applicability Review: Importers must submit documentation demonstrating that the supply chain for the detained goods **does not** involve sourcing from the XUAR or an entity on the *UFLPA Entity List*. Importers can provide supply-chain tracing information as outlined in the *UFLPA Strategy*, Section VI, B, pages 49-50 and Appendix E of this document. Exception Review: Importers must fully comply with the guidance described in section 2(d)(6) of the UFLPA, *UFLPA Strategy*, Section VI, C, pages 50-51 and Appendix F of this document, and show, by **clear and convincing evidence**, that the good was not mined, produced, or manufactured with forced labor; and must completely and substantively respond to CBP requests for information.	Applicability Review: Importers must submit documentation demonstrating that the supply chain for the detained goods **does not** involve sourcing from the XUAR or an entity on the *UFLPA Entity List*. Importers can provide supply chain tracing information as outlined in *UFLPA Strategy*, Section VI, B, pages 49-50 and Appendix E of this document. Exception Review: Importers must fully comply with the guidance described in section 2(d)(6) of the UFLPA, *UFLPA Strategy*, Section VI, C, pages 50-51 and Appendix F of this document, and show, by **clear and convincing evidence,** that the good was not mined, produced, or manufactured with forced labor; and must completely and substantively respond to CBP requests for information.	Exception Review: Importers must submit information to show by **clear and convincing evidence** that detained goods are not made with forced labor by North Korean nationals or citizens (22 U.S.C. § 9241a(b)). There is no specific guidance for how to rebut CAATSA's presumption of forced labor. However, for helpful examples, review *UFLPA Strategy*, Section VI, C, pages 50-51 and Appendix F of this document.	Admissibility Review: Documents required under 19 C.F.R. § 12.43 and any other supporting documentation to demonstrate admissibility (i.e., that the goods were not produced, wholly or in part, with forced labor or are not subject to the WRO).	Evidence to demonstrate that the goods seized subject to a Finding are not made, wholly or in part, with forced labor, or are not subject to the Finding.

文件 要求	扣留货物 涉及采购 UFLPA上的实体 实体清单。进口商 在《UFLPA战略》中， 第六部分B节，第 49-50及附录E 遵守 第2(d)(6)节所述的指引 UFLPA,*UFLPA* 策略，第六节，C, 第50-51页及附录F 文件，并通过.....表明 即该货物 用.....制造 强迫劳动；并且必须 实质性回应 向 CBP 提出的请求	扣留货物 涉及采购 UFLPA上的实体 实体清单。进口商 在UFLPA战略中， 第六部分B节，第 49-50及附录E 遵守 UFLPA 第 2(d)(6) 节所 策略，第六节，C, 第50-51页及附录F 即该货物 使用强迫劳动制造；并且必须 实质回应CBP的请求	即被扣留的 或公民（22 U.S.C. 9241a(b))。没有 CAATSA的推定 UFLPA战略， 第六部分，C，页 50-51及附录F	根据19 C.F.R.12.43	

FORCED LABOR ENFORCEMENT PROCESSES	UFLPA – POTENTIAL INPUT	UFLPA – DIRECT INPUT	CAATSA	WRO	FINDING
TIME PERIOD FOR IMPORTER TO EXERCISE OPTIONS	30 days	180 days	180 days	3 months	30 days
CAN REQUEST EXTENSIONS?	Yes, may request up to two 30-day extensions with a maximum of 90 calendar days; however, extension approval is at Port or Center Director's discretion. Contact POE if prior to submission of review request to Center, if after submission, contact your assigned Center.	No	No	No	No
CBP DECISION/ACTION	Release or exclude.	Release or exclude.	Release or exclude. Following exclusion, CBP may approve the release of merchandise by approving of a protest or affirm its decision to exclude following the denial of a protest. Importers have 180 days to file civil action if protest is denied.	Release or exclude. Importers have three months from the date of the detention notice to demonstrate admissibility. If excluded, they have 180 days from the date of the exclusion to protest CBP's decision.	Release or seize.

执法 流程	UFLPA - 潜在输入	UFLPA - 直接输入	CAATSA	暂扣令	认定
行使 选项	30天	180天	180天	3个月	30天
延期？	两次 30 天延期，最长 90 个日历日；但延期批准由口岸或中心 主任酌情决定。如在向中心提交复审请求之前，请联系口岸；如在提交之后，请联系您被指派的				
CBP			CBP 可通过批准异议而放行货物，或在驳回后维持其排除(不予放行)决定 进口商有180 如抗议被驳回，提起民事诉讼的天数。	自扣留通知之日起数月内 如被排除(不予放行)，其自排除(不予放行)之日起有 180 天时间对 CBP 的决定提出异议。	

Prior Disclosure and Redelivery: What Happens If I Find Forced Labor Goods in Imported Products?

Prior Disclosure

The prior disclosure provision contained in 19 U.S.C. § 1592 provides reduced penalties to a person who notifies U.S. Customs and Border Protection (CBP) of the circumstances of a violation of the customs laws and regulations, **before** CBP or U.S. Immigration and Customs Enforcement (ICE)/Homeland Security Investigations (HSI) discovers the possible violation and notifies the party of the discovery of the possible violation. In certain cases, a valid prior disclosure may result in either substantial mitigation or cancellation of a penalty in full. Valid prior disclosures can save a person time and money, but all parties involved with the prior disclosure must comply with prior disclosure requirements to realize the benefits.

If importers wish to inform CBP of potential forced labor concerns in a shipment through a prior disclosure, they should submit their disclosure to the Center corresponding to their industry or contact the Forced Labor Division (FLD) at ForcedLabor@cbp.dhs.gov for guidance.

Redelivery

Redelivery is when CBP asks importers to return goods to a Port of Entry (POE) after the goods are released by CBP. CBP uses Form 4647, Notice of Redelivery, to demand the return of released goods within 30 days of release date, but may demand redelivery up to 30 days after the end of the conditional release period (whichever period is later).[18] Importers have 30 days to return goods to the POE that issued the redelivery notice.

If the importer fails to redeliver goods, CBP may assess liquidated damages against the importer three times the entered value of the merchandise subject to redelivery. Depending on the circumstances, CBP may issue penalties pursuant to 19 U.S.C. § 1595a(b), 19 U.S.C. § 1592, or 19 U.S.C. § 1641 (broker penalty), or any other applicable penalty, against any parties involved with the failed redelivery.[19]

Once goods are redelivered, CBP determines the appropriate disposition of the goods based on the nature of the violation of U.S. forced labor laws. Importers may have their goods detained, excluded, or seized. Depending on the violation and allowable remedies, importers may be allowed to export or destroy their goods.

[18] *Refer to* 19 C.F.R. § 113.62(d).
[19] *Refer to* 19 C.F.R. § 113.62(d), 113.62(n)(1).

事前披露与退还：如果我在进口产品中发现强迫劳动货物会怎样?

19 U.S.C.1592 所载的事前披露条款规定，在 CBP 或美国移民和海关执法局(ICE)/国土安全调查局(HSI)发现可能的违法行为并通知当事方已发现该可能的违法行为之前，向美国海关与边境保护局(CBP)告知违反海关法律法规情形的当事人可获得减轻的处罚。在某些情况下，有效的事前披露可能导致大幅减轻处罚或完全撤销处罚。有效的事前披露可为当事人节省时间和金钱，但参与事前披露的所有当事方必须遵守事前披露要求，才能实现这些益处。

如进口商希望通过事前披露告知 CBP 某批货物可能存在强迫劳动问题，应向其行业对应的中心提交披露，或联系强迫劳动处(FLD)，电话forced labor@cbp.dhs.gov以获取指引。

退还指 CBP 在货物获 CBP 放行后要求进口商将货物退回口岸(POE)。CBP 使用表格 4647《退还通知》，要求自放行之日起 30 天内退回已放行货物，但可在附条件放行期结束后最多 30 天内要求退还(以较晚期限为准)。[18]进口商有 30 天时间将货物退回签发退还通知的口岸。

如进口商未能退还货物，CBP 可对进口商评估违约金，金额为应予退还货物报关价值的三倍。视具体情况，CBP 可依据19 U.S.C.1592或19 U.S.C.1641(报关代理人处罚)，或任何其他适用处罚，对任何相关方作出处罚

与重新投递失败的情况相同。[19]

货物退还后，CBP 根据违反美国强迫劳动法律的性质确定货物的适当处置。进口商的货物可能被扣留、排除(不予放行)或扣押。视违规情况和允许的救济措施，进口商可能被允许出口或销毁其货物。

[18]参见 19 C.F.R.113.62(d)。
19 参见 19 C.F.R.113.62(d)、113.62(n)(1)。

Conclusion

CBP's mission to enforce the prohibition on the importation of goods made, wholly or in part, with forced labor is essential to protecting American businesses and ensuring a level playing field in the global marketplace. Forced labor undermines legitimate businesses by introducing unfair competition, allowing unscrupulous actors to produce goods at artificially low costs through exploitative practices. By preventing the entry of such goods into U.S. commerce, enforcement efforts safeguard the integrity of American industries and ensure that companies adhering to lawful and responsible practices are not disadvantaged. For importers, conducting thorough due diligence and gaining knowledge and understanding of the forced labor enforcement processes are critical steps in supporting these enforcement efforts and maintaining compliance with U.S. customs and trade laws. Due diligence measures help importers identify and mitigate vulnerabilities that could lead to violations and ensure their operations remain competitive and compliant. These actions not only protect importers from enforcement actions, such as detentions, exclusions, or seizures, but also reinforce the principles of fair competition and lawful trade. By prioritizing compliance and vigilance, importers contribute to a trade environment that rewards integrity and supports American economic interests while advancing the broader goal of eliminating forced labor from global supply chains.

CBP 执行禁止进口全部或部分以强迫劳动制造的货物的禁令这一使命，对于保护美国企业和确保全球市场的公平竞争环境至关重要。强迫劳动通过引入不公平竞争，使无良行为者能够通过剥削性做法以人为压低成本生产货物，从而损害合法企业。通过阻止此类货物进入美国商业流通，执法工作维护了美国产业的完整性，并确保遵守合法和负责任做法的公司不会处于不利地位。对进口商而言，开展全面的尽职调查并了解熟悉强迫劳动执法流程，是支持这些执法工作并保持遵守美国海关与贸易法律的关键步骤。尽职调查措施有助于进口商识别和减轻可能导致违规的薄弱环节，并确保其经营保持竞争力和合规。这些行动不仅保护进口商免受扣留、排除(不予放行)或查封等执法行动的影响，还强化了公平竞争和合法贸易的原则。通过优先重视合规和警惕性，进口商有助于营造一个奖励诚信并支持美国经济利益的贸易环境，同时推进从全球供应链中消除强迫劳动的更广泛目标。

Appendix A: UFLPA High-Priority Sector Supply-Chain Tracing Documentation

This appendix provides specific guidance for supply chain documentation that importers may consider submitting for commodities in the **high-priority sectors for enforcement** listed in the *UFLPA Strategy*. This information is current as of the publication of this document and is subject to change. Refer to https://cbp.gov/trade/forced-labor for updates.

This guidance illustrates the types of documents CBP may require to be submitted. For each detained shipment, CBP will provide a detention notice that includes the reason(s) for the detention.

Note: The lists below are not exhaustive. CBP may require additional documentation.

For submissions of documents containing **Business Confidential Information (BCI)**, importers must ensure that all BCI information is properly identified by placing the information in double brackets (i.e., [[BCI]]).

ALUMINUM

- Provide flowcharts of all manufacturing steps and distinguish which company performs each step (if more than one company is involved in the production of the aluminum product and finishing coats).
- Provide certificate(s) of origin or manufacturer's affidavit(s) attesting to the origin of each material used to produce the aluminum product. Manufacturer's affidavits should provide the name of the entity and the specific location where each material is mined, smelted, and manufactured.
- Provide raw materials invoices; purchase orders and proof of payment; production records; and export documents and information.
- Provide details on the manufacturing process where the aluminum was produced into ingots and billets.
- Provide the location where the aluminum was further manufactured into extrusions, coils, wire, or other aluminum products.

APPAREL

- Provide comprehensive documentation tracing the entire apparel supply chain, from the origin of raw materials (e.g., fibers like cotton, wool, or synthetics) through yarn spinning, fabric manufacturing (weaving/knitting, dyeing, finishing), garment production (cutting, sewing, assembly), and final export. This documentation must clearly demonstrate that no forced labor was used at any stage of production, including for all inputs and components.

附录A:UFLPA高优先级行业供应链溯源文件

本附录针对进口商可考虑为*UFLPA* 战略所列 商品提交的供应链文件提供具体指引。本信息截至本文档发布之日为最新，并可能变更。请参阅https://cbp.gov/trade/forced-labor获取更新。

本指引说明 CBP 可能要求提交的文件类型。对于每批被扣留的货物，CBP 将提供扣留通知，其中包含扣留原因。

注：以下清单并非详尽无遗。CBP 可能要求提供补充文件。

对于提交含有 **BCI** 的文件，进口商必须确保所有 BCI 信息均通过将信息置于双方括号内(即[[BCI]])的方式予以正确标识。

- 提供所有制造步骤的流程图，并区分每一步骤由哪家公司执行(若铝产品及精整涂层的生产涉及不止一家公司)。
- 提供原产地证书或制造商宣誓书，证明用于生产该铝产品的每种材料的原产地。制造商宣誓书应载明实体名称以及每种材料开采、冶炼和制造的具体地点。
- 提供原材料发票；采购订单及付款证明；生产记录；以及出口文件和信息。
- 提供有关铝被生产为铝锭和铝坯的制造过程的详细信息。
- 提供铝被进一步加工为挤压材、卷材、线材或其他铝产品的地点。

- 提供可追溯整个服装供应链的全面文件，从原材料(如棉花、羊毛或合成纤维等纤维)的原产地，到纺纱、面料制造(织造/针织、染色、后整理)、成衣生产(裁剪、缝制、组装)及最终出口。该文件必须清楚证明生产任何阶段均未使用强迫劳动，包括所有投入和组件。

- Provide a detailed breakdown of the apparel production process, outlining key stages such as fiber sourcing/cultivation, yarn production, fabric manufacturing, dyeing and finishing, and garment assembly. Include geographic information for each facility involved in these activities, specifying their roles and locations. A flow chart of the production process, potentially with maps of the regions where production occurs, is highly recommended.
- Identify all entities involved in each step of the production process, whether directly or through intermediaries. Provide supporting evidence, such as purchase orders, contracts, invoices, payment records, certifications, facility audits, or other business records, to validate the roles and involvement of all upstream entities. Citations should denote the business records used to identify each upstream entity with whom the importer did not directly transact.

CAUSTIC SODA

- Provide comprehensive records documenting the caustic soda production process, including the sourcing of raw materials (such as salt), the chlor-alkali process, packaging, and export, ensuring no forced labor was used at any stage.
- Provide a detailed summary of the production process, outlining key steps such as brine preparation, electrolysis, and the production of caustic soda, with geographic information for each facility involved.
- Provide relevant records, such as purchase orders, certifications, or facility audits, to verify the involvement of all entities in the caustic soda supply chain, whether directly or through intermediaries.

COPPER

- Provide comprehensive documentation tracing the copper supply chain, including mining, refining, smelting, and export activities, ensuring compliance with labor standards and no sourcing from entities under the Uyghur Forced Labor Prevention Act (UFLPA).
- Provide a detailed breakdown of the copper production process, highlighting key stages, such as ore extraction, smelting, refining, and final packaging for export, along with the locations of these activities.
- Provide certificate(s) of origin or manufacturer's affidavit(s) attesting to the origin of each material used to produce the copper products from the raw materials through finished products. Manufacturer's affidavits should provide the name of the entity and the specific location where each material is mined; concentrated (e.g., via flotation or leaching); smelted; refined (e.g., via pyrometallurgical or electrolytic refining); cast into semi-finished products (e.g., anodes, cathodes, billets); reheated; and then produced into

- 提供服装生产过程的详细分解，概述纤维采购/种植、纱线生产、面料制造、染色和后整理以及成衣组装等关键阶段。包含参与这些活动的每个设施的地理信息，说明其角色和地点。强烈建议提供生产过程的流程图，并可附上生产发生区域的地图。
- 识别生产过程中每一步骤涉及的所有实体，无论是直接参与还是通过中间商参与。提供支持性证据，如采购订单、合同、发票、付款记录、认证、设施审计或其他商业记录，以验证所有上游实体的角色和参与情况。引注应指明用于识别进口商未与其直接交易的每个上游实体的商业记录。

C AUSTIC S ODA

- 提供记录烧碱生产过程(包括原材料(如盐)的采购、氯碱工艺、包装和出口)的全面记录，确保任何阶段均未使用强迫劳动。
- 提供生产过程的详细摘要，概述盐水制备、电解和烧碱生产等关键步骤，并附参与其中的每个设施的地理信息。
- 提供相关记录，如采购订单、认证或设施审计，以核实烧碱供应链中所有实体的参与情况，无论是直接参与还是通过中间商参与。

- 提供可追溯铜供应链(包括开采、精炼、冶炼和出口活动)的全面文件，确保符合劳工标准且未从《维吾尔强迫劳动预防法》(UFLPA)所列实体采购。
- 提供铜生产过程的详细分解，突出矿石提取、冶炼、精炼和最终出口包装等关键阶段，以及这些活动的地点。
- 提供原产地证书或制造商宣誓书，证明从原材料到成品用于生产铜产品的每种材料的原产地。制造商宣誓书应提供实体名称以及每种材料被开采；被浓缩(例如，通过浮选或浸出)；被熔炼；被精炼(例如，通过火法冶金或电解精炼)；被铸造为半成品(例如，阳极、阴极、坯料)；被再加热；然后被生产为的具体地点

long products (e.g., rods, wires), flat products (e.g., sheets, plates, foils), or tubular products (e.g., tubes, pipes).

- Following the initial stages, further processing steps for copper semi-finished goods should also be detailed, including further cold forming; intermediate and final annealing; surface preparation and finishing; and quality control and inspection.
- Provide any additional supporting evidence, such as business records or certifications, to validate the roles of all entities involved in the copper supply chain, even if their involvement was indirect.

COTTON AND COTTON PRODUCTS

- Provide comprehensive documentation, including any records that may be kept in the ordinary course of business (e.g., purchase orders, payment records, etc.), to show the entire supply chain, from the origin of the cotton at the bale level to the final production of the finished product.
- Provide a flow chart of the production process and maps of the region where the production processes occur. Number each step along the production process and number any additional supporting documents associated with each step of the process.
- Identify all the entities involved in each step of the production process, with citations denoting the business records used to identify each upstream entity with whom the importer did not directly transact.

LITHIUM

- Importers must ensure the lithium supply chain is fully traceable, and provide records that detail mining, chemical processing, battery-grade refining, and export activities, while verifying compliance with labor standards and no sourcing from entities under the UFLPA.
- Provide a clear outline of the lithium production process, showing the movement of materials from ore extraction to chemical processing, refining, and export, with geographic details for each stage.
- Provide comprehensive documentation, such as contracts, certifications, or transaction records, to confirm the participation of all companies in the lithium supply chain, including those indirectly involved.

长材(如棒材、线材)、扁平材(如薄板、厚板、箔材)或管材(如管、管道)。

- 在初始阶段之后，还应详细说明铜半成品的进一步加工步骤，包括进一步冷成型；中间退火和最终退火；表面处理和精整；以及质量控制和检验。
- 提供任何补充支持性证据，如商业记录或认证，以验证铜供应链中涉及的所有实体的角色，即使其参与是间接的。

- 提供全面文件，包括在正常业务过程中可能保存的任何记录(如采购订单、付款记录等)，以显示从棉包层面的棉花原产地到成品最终生产的整个供应链。
- 提供生产过程的流程图以及生产过程发生区域的地图。对生产过程中的每个步骤编号，并对与每个步骤相关的任何补充支持文件编号。
- 识别生产过程中每一步骤涉及的所有实体，并附引注指明用于识别进口商未与其直接交易的每个上游实体的商业记录。

L ITHIUM

- 进口商必须确保锂供应链完全可追溯，并提供详细说明开采、化学加工、电池级精炼和出口活动的记录，同时核实符合劳工标准且未从 UFLPA 所列实体采购。
- 提供锂生产过程的清晰概要，显示材料从矿石提取到化学加工、精炼和出口的流转，并附每个阶段的地理详情。
- 提供全面文件，如合同、认证或交易记录，以确认锂供应链中所有公司(包括间接参与的公司)的参与。

Polyvinyl Chloride (PVC)

- Provide records that show all companies involved in making, processing, or exporting PVC products. They must also show where each material came from and trace back to any forced labor.
- Provide comprehensive documentation, including any records that may be kept in the ordinary course of business (e.g., purchase orders, invoices, payment records, shipping records, etc.), to show the entire supply chain, from the sourcing of raw materials (e.g., ethylene and chlorine) to the final production of the finished PVC product.
- Provide a flow chart of the production process and maps of the region where the production processes occur with all layers of PVC flooring including but not limited to PVC resins and calcium carbonate. Number each step along the production process and provide manufacturing records where the layers are laminated together under heat and pressure.

Red Dates (Jujubes)

- Provide thorough records tracing the red date supply chain, including cultivation, harvesting, drying, processing, and export, ensuring compliance with labor standards and no sourcing from entities under the UFLPA.
- Provide a detailed description of the red date production process, outlining key steps such as farming, sun-drying or mechanical drying, sorting, and packaging for export, along with the locations of these activities.
- Provide comprehensive supporting documentation, such as invoices, certifications, or farm records, to verify the participation of all parties involved in the red date supply chain, whether directly or indirectly.

Seafood

- Provide records that show all companies involved in catching, processing, or exporting seafood. Provide documentation demonstrating where each step of the chain occurred and trace back to any potential sources of forced labor, like flagged fishing operations or processing factories on the UFLPA list.
- Make a simple chart showing each step in the process, including where the seafood was caught or farmed, where it was processed, and where it was packed and exported.
- Provide comprehensive documentation, including any records that may be kept in the ordinary course of business (e.g., purchase orders, payment records, shipping records, catch certificates, etc.), to show the entire supply chain, from the harvesting or farming of the seafood to the final production of the finished product.

PVC

- 提供显示参与制造、加工或出口 PVC 产品的所有公司的记录。这些记录还必须显示每种材料的来源，并追溯至任何强迫劳动。
- 提供全面文件，包括在正常业务过程中可能保存的任何记录(如采购订单、发票、付款记录、运输记录等)，以显示从原材料(如乙烯和氯)采购到成品 PVC 产品最终生产的整个供应链。
- 提供生产过程的流程图以及生产过程发生区域的地图，涵盖 PVC 地板的所有层，包括但不限于 PVC 树脂和碳酸钙。对生产过程中的每个步骤编号，并提供各层在热和压力下压合在一起的制造记录。

Jujubes

- 提供可追溯红枣供应链(包括种植、采收、干燥、加工和出口)的详尽记录，确保符合劳工标准且未从 UFLPA 所列实体采购。
- 提供红枣生产过程的详细描述，概述种植、晒干或机械干燥、分选和出口包装等关键步骤，以及这些活动的地点。
- 提供全面支持性文件，如发票、认证或农场记录，以核实红枣供应链中涉及的所有各方(无论是直接还是间接参与)的参与情况。

- 提供记录，显示参与捕捞、加工或出口海产品的所有公司。提供文件证明供应链各环节的发生地点，并追溯至任何潜在的强迫劳动来源，例如被标记的捕捞作业或《维吾尔强迫劳动预防法》清单上的加工工厂。
- 制作一份简单的流程图，显示流程中的每个步骤，包括海产品捕捞或养殖地点、加工地点以及包装和出口地点。
- 提供全面的文件，包括正常业务过程中可能保存的任何记录(例如采购订单、付款记录、运输记录、捕捞证书等)，以显示从海产品捕捞或养殖到成品最终生产的整个供应链。

Silica-Based Products (Including Polysilicon)

- Provide comprehensive records of transactions and supply chain documentation that demonstrate all entities involved in the manufacture, manipulation, or export of a particular good, and the country of origin of each material used in the production of the products going back to the suspected source of forced labor.
- Provide a flow chart mapping each step in the procurement and production of all materials and identify the region where each material in the production originated (e.g., from location of the quartzite used to make silica-based products (including polysilicon), to the location of manufacturing facilities producing silica-based products (including polysilicon), to the location of facilities producing downstream goods used to make the imported good).
- Provide a list of all entities associated with each step of the production process, with citations denoting the business records used to identify each upstream party with whom the importer did not directly transact.
- Importers should be aware that imports of goods from factories that source silica-based products (including polysilicon) both from within the Xinjiang Uyghur Autonomous Region (XUAR) and outside of the XUAR risk being subject to detention, as it may be harder to verify that the supply chain is using only non-XUAR silica-based products (including polysilicon) and that the materials have not been replaced by or co-mingled with XUAR silica-based products (including polysilicon) at any point in the manufacturing process.

Steel

- Provide flowchart(s) of all manufacturing steps and distinguish which company performs each step (if more than one company is involved in the production of the steel product).
- Provide certificate(s) of origin or manufacturer's affidavit(s) attesting to the origin of each material used to produce the steel products from the raw materials through finished products. Manufacturer's affidavits should provide the name of the entity and the specific location where each material is mined; processed; refined in a blast furnace, basic oxygen furnace (BOF), or Electric Arc Furnace (EAF); continuously cast into semi-finished products, reheated, and hot rolled, then produced into long products (e.g., rods/bars, sections) and flat products (e.g., plate, hot rolled coils, welded tubes, and light gauge products).
- Following the initial stages, any further processing steps for semi-finished goods should also be detailed, including cooling, cold rolling, annealing, and any finishing processes such as pickling, machining, grinding, polishing, or temper rolling, etc.

- 提供全面的交易记录和供应链文件，证明参与特定商品制造、处理或出口的所有实体，以及产品生产中使用的每种材料的原产地，并追溯至涉嫌的强迫劳动来源。
- 提供流程图，标明所有材料采购和生产中的每个步骤，并确定生产中每种材料的来源地区(例如，从用于制造硅基产品(包括多晶硅)的石英岩所在地，到生产硅基产品(包括多晶硅)的制造设施所在地，再到生产用于制造进口商品的下游产品的设施所在地)。
- 提供与生产过程每个步骤相关的所有实体清单，并附引用注明用于识别进口商未直接交易的每个上游方的商业记录。
- 进口商应注意，从既在新疆维吾尔自治区(XUAR)内又在新疆维吾尔自治区外采购二氧化硅基产品(包括多晶硅)的工厂进口的货物存在被扣留的风险，因为可能更难核实供应链仅使用非新疆维吾尔自治区的二氧化硅基产品(包括多晶硅)，以及材料在制造过程中的任何环节均未被新疆维吾尔自治区的二氧化硅基产品(包括多晶硅)替代或与之混合。
- 提供所有制造步骤的流程图，并区分各步骤由哪家公司执行(如果钢铁产品的生产涉及多家公司)。
- 提供原产地证书或制造商宣誓书，证明从原材料到成品用于生产钢铁产品的每种材料的原产地。制造商宣誓书应提供实体名称以及每种材料被开采；被加工；在高炉、碱性氧气转炉(BOF)或电弧炉(EAF)中被精炼；被连续铸造为半成品、被再加热并被热轧，然后被生产为长材产品(例如，棒材/条材、型材)和扁平材产品(例如，中厚板、热轧卷、焊接管和轻型规格产品)的具体地点。
- 在初始阶段之后，还应详细说明半成品的任何进一步加工步骤，包括冷却、冷轧、退火，以及任何精整工序，如酸洗、机加工、研磨、抛光或平整轧制等。

- Provide raw materials invoices, purchase orders and proof of payment, production records, and export documents and information.
- Provide details on the manufacturing processes.
- Provide the location where the iron was further manufactured into semi-finished, steel, and/or stainless steel.
- Provide bills of lading and/or other documents tracing the movement of the inputs through export to the United States.

TOMATOES AND DOWNSTREAM PRODUCTS

- Provide comprehensive supply chain traceability documents (e.g., lot codes assigned based on the commodity, variety, location, and harvest date) demonstrating the point of origin of the tomato seeds, tomatoes, or tomato products.
- Identify the tomato processing facility, including both the parent company and the estate that sourced the tomato seeds and/or tomatoes.
- Provide records for the tomato seeds, tomatoes, and/or tomato products that identify all steps in the production process, from seed to finished product, from the farm to shipping to the United States.
- Provide a list of all entities associated with each step of the production process, with citations denoting the business records used to identify each upstream party with whom the importer did not directly transact.

- 提供原材料发票、采购订单和付款证明、生产记录以及出口文件和信息。
- 提供制造工艺的详细信息。
- 提供铁进一步加工成半成品、钢材和/或不锈钢的地点。
- 提供提单和/或其他文件，追溯投入物经出口至美国的流动情况。

- 提供全面的供应链可追溯文件(例如，根据商品、品种、地点和收获日期分配的批次代码)，证明番茄种子、番茄或番茄产品的原产地。
- 确定番茄加工设施，包括母公司及采购番茄种子和/或番茄的庄园。
- 提供番茄种子、番茄和/或番茄产品的记录，标明从种子到成品、从农场到运往美国的生产过程中的所有步骤。
- 提供与生产过程每个步骤相关的所有实体清单，并附引用注明用于识别进口商未直接交易的每个上游方的商业记录。

Appendix B: Supply-Chain Due Diligence, Tracing, and Management

U.S. Customs and Border Protection (CBP) urges those in the trade community to carefully check their supply chains to make sure goods brought into the United States are not made, in whole or in part, using forced labor. Tracking supply chains has always been an important part of importers' efforts to do their part in using reasonable care before importing into the United States. Due diligence and risk management are steps businesses should take to find, stop, reduce, and explain how they handle these real or possible problems in their operations, supply chains, and other business connections.

CBP also encourages the trade community to use origin verification testing technology, which includes isotopic testing, to better understand their supply chains, demonstrate due diligence, and assist with determining the source of raw materials in final products. Isotopic testing is a method companies can use to verify if the claimed geographic origin provided by the supplier matches the true geographic origin of the material. CBP supports using this testing to help trace supply chains and reduce trade fraud risks (more information on Isotopic Testing is available in Appendix D). However, it is important to note isotopic testing technology is not available for all products and importers should contact testing providers for more information.

Due Diligence System and Risk Management

Due diligence is the process businesses use to find, stop, reduce, and explain how they handle real or possible problems in their operations, supply chains, and other business relationships.

Reducing Risks in Supply Chains

To address the risks of forced labor in operations and global supply chains, importers should have a clear and complete social compliance system. The following resources can help companies set up a system, improve existing systems, or carry out supply chain checks. Furthermore, the Department of Labor's website contains guidance on setting up a social compliance system for companies that want to implement fair labor standards in their production processes.

Compliance

Importers may get compliance advice from a customs expert, such as a licensed customs broker, customs/international trade attorney, or customs consultant.

附录B:供应链尽职调查、溯源与管理

美国海关与边境保护局(CBP)敦促贸易界人士仔细检查其供应链，确保进入美国的货物并非全部或部分使用强迫劳动制造。追踪供应链一直是进口商在进口至美国之前履行合理注意义务的重要组成部分。尽职调查和风险管理是企业应当采取的步骤，用以发现、制止、减少并说明其如何应对运营、供应链及其他商业联系中存在的这些实际或可能的问题。

CBP还鼓励贸易界使用原产地验证检测技术，包括同位素检测，以更好地了解其供应链、证明尽职调查，并协助确定最终产品中原材料的来源。同位素检测是企业可用于核实供应商所提供声称的地理原产地是否与材料的真实地理原产地相符的一种方法。CBP支持使用该检测技术帮助追溯供应链并降低贸易欺诈风险(有关同位素检测的更多信息见

附录 D)。但需注意，同位素检测技术并非适用于所有产品，进口商应联系检测服务提供方获取更多信息。

尽职调查是企业用于发现、制止、减少和说明其如何处理运营、供应链及其他业务关系中真实或潜

为应对运营和全球供应链中的强迫劳动风险，进口商应建立清晰完整的社会合规体系。以下资源可帮助企业建立体系、改进现有体系或开展供应链检查。此外，劳工部网站载有关于建立社会合规体系的指引，供希望在生产中落实公平劳动标准的企业参考。

进口商可从海关专家处获取合规建议，例如持牌报关代理人、海关/国际贸易律师或海关顾问。

Documentation showing a due diligence system and risk management process may include the following:

- Engagement with suppliers and other stakeholders to assess and address forced labor risk;
- Mapping of the supply chain and assessment of forced labor risks along the supply chain from raw materials to production of the imported good;
- Written supplier Code of Conduct forbidding the use of forced labor and, as appropriate and relevant, addressing the risk of use of Chinese government labor schemes;
- Training on forced labor risks for employees and agents who select and interact with suppliers;
- Monitoring of supplier compliance with the code of conduct;
- Remediation of any forced labor conditions identified or termination of the supplier relationship if remediation is not possible or is not timely completed;
- Independent verification of the implementation and effectiveness of the due diligence system; and
- Reporting performance and engagement publicly on its due diligence system.

Supply-Chain Audits

Audits to evaluate risks in supply chains are available from many private sources. These audits should be unannounced and conducted by independent or third-party auditors that can conduct reviews on the International Labour Organization's (ILO) 11 indicators of forced labor. Note: CBP generally does not consider financial audits, environmental audits, or audits that do not specifically look at the ILO indicators of forced labor to be sufficient to mitigate forced labor risk in production processes.

Helpful Resources

This CBP operational guidance document lists resources available to trade stakeholders to support their ability to conduct supply chain due diligence, tracing, and management, including resources available on CBP.gov and other websites. The following information is not intended to be an exhaustive list of resources but can help importers begin their research:

U.S. Department of Labor Resources

- The U.S. Department of Labor's SourcingStrong (https://www.dol.gov/agencies/ilab/sourcingstrong);
- The U.S. Department of Labor's Findings on the Worst Forms of Child Labor (https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings);
- The U.S. Department of Labor's List of Goods Produced by Child Labor or Forced Labor (https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods);
- The U.S. Department of Labor's List of Products Produced by Forced or Indentured Child Labor (https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-products); and

显示尽职调查体系和风险管理流程的文件可包括以下内容：

- 与供应商及其他利益相关方接触，以评估和应对强迫劳动风险；
- 绘制供应链图谱，并评估从原材料到进口商品生产的整个供应链中的强迫劳动风险；
- 书面的供应商行为准则，禁止使用强迫劳动，并在适当和相关的情况下，应对使用中国政府劳工计划的风险；
- 关于强迫劳动风险的培训，针对选择供应商并与之互动的员工和代理人；
- 监督供应商遵守行为准则的情况；
- 对发现的任何强迫劳动状况进行补救，或在无法补救或未及时完成补救时终止供应商关系；
- 对尽职调查体系的实施情况和有效性进行独立验证；以及
- 公开报告其尽职调查体系的绩效与参与情况。

用于评估供应链风险的审计可由许多私营机构提供。此类审计应为突击审计，并由能够依据国际劳工组织(ILO)的11项强迫劳动指标开展审查的独立审计方或第三方审计方实施。注：CBP 通常不认为财务审计、环境审计或未专门针对国际劳工组织强迫劳动指标的审计足以降低生产过程中的强迫劳动风险。

本 CBP 操作指南文件列出了可供贸易利益相关方使用的资源，以支持其开展供应链尽职调查、追溯和管理的能力，包括 CBP.gov 及其他网站上可获取的资源。以下信息并非旨在成为资源的详尽清单，但可帮助进口商启动其研究工作：

U.S 劳工部资源

SourcingStrong (https://www.dol.gov/sourcingstrong);

- 美国劳工部的《最恶劣形式童工劳动认定》(https://www.dol.gov/agencies/ilab/resou
- 美国劳工部的《童工或强迫劳动生产商品清单》(https://www.dol.gov/agencies/ilab/reports/child-
- 美国劳工部的《强迫劳动或契约童工生产产品清单》(https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-products)；以及

- The U.S. Department of Labor's ImportWatch (https://www.dol.gov/agencies/ilab/importwatch).

U.S. Department of State Resources

- National Action Plan on Responsible Business Conduct (https://www.state.gov/wp-content/uploads/2024/03/2024-United-States-Government-National-Action-Plan-on-Responsible-Business-Conduct.pdf);
- The U.S. Department of State's Responsible Sourcing Tool (https://www.responsiblesourcingtool.org/);
- The U.S. Department of State's Trafficking in Persons Report (https://www.state.gov/reports-office-to-monitor-and-combat-trafficking-in-persons); and
- Relevant business advisories issued by the Department of State with the cooperation of other U.S. Government agencies, including the updated Xinjiang Supply Chain Business Advisory (September 2023) (https://www.state.gov/xinjiang-supply-chain-business-advisory).

CBP Resources

- CBP's *Reasonable Care: An Informed Compliance Publication* (https://www.cbp.gov/sites/default/files/assets/documents/2018-Mar/icprescare2017revision.pdf);
- The CBP's Forced Labor website resources (https://www.cbp.gov/trade/forced-labor); and
- The CBP's Withhold Release Orders and Findings Dashboard (https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings), including those involving China, and related FAQs that may aid importers in identifying additional merchandise, regions, and producers whose imports into the United States may be subject to exclusion and/or seizure.

International Resources

- The United Nations Guiding Principles on Business and Human Rights (https://www.business-humanrights.org/en/big-issues/un-guiding-principles-on-business-human-rights/);
- The Organization for Economic Co-operation and Development (OECD) Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (https://www.oecd.org/en/publications/2016/04/oecd-due-diligence-guidance-for-responsible-supply-chains-of-minerals-from-conflict…);
- OECD Guidelines for Multinational Enterprises (https://www.oecd.org/en/publications/oecd-guidelines-for-multinational-enterprises-on-responsible-…) (including sector-specific guidance);
- The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (https://www.ilo.org/empent/areas/mne-declaration/lang--en/index.htm);

- 美国劳工部的ImportWatch(https://www.dol.gov/agencies/ilab/ImportWatch)。

U.S 国务院资源

- 《负责任商业行为国家行动计划》uploads/2024/03/2024-United-States-Government-National-Action-Plan-on-负责任商业行为.pdf);
- 的负责任采购工具(https://www.Responsible Sourcing Tool.org/);
- https://www.state.gov/reports-office-to-monitor-and-combat-Trafficking-in-persons)；以及
- 美国国务院在其他美国政府机构配合下发布的相关商业警示，包括更新的《新疆供应链商业警示》(2023年9月)(https://www.state.gov/xinjiang-supply-chain-business-advisory).

CBP资源

- CBP 的《合理注意：知情合规出版物》(https://www.cbp.gov/sites/default/files/assets/documents/2018-Mar/icprescare2017revision.pdf);
- 美国海关与边境保护局(CBP)强迫劳动网站资源(https://www.cbp.gov/trade/forced-labor);
和
- CBP 的暂扣令与认定仪表板(https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings)，包括

涉及中国的暂扣令与认定，以及相关常见问题解答，可帮助进口商识别其他可能被排除(不予放行)和/或查封的进口至美国的商品、地区和生产商。

国际资源

- 联合国工商业与人权指导原则(https://www.business-Human Rights.org/en/big-issues/un-guiding-Principles-on-商业与人权/);
- 经济合作与发展组织(OECD)《受冲突影响和高风险地区矿产负责任供应链尽职调查指南》(https://www.oecd.org/en/publications/2016/04/oecd-due-diligence-冲突矿产负责任供应链指南...);
- 经合组织跨国企业准则(https://www.oecd.org/en/publications/oecd-guidelines-for-multinational-enterprises-on-responsible-...)
(包括针对特定行业的指引);
- 国际劳工组织《关于多国企业和社会政策的三方原则宣言》(https://www.ilo.org/empent/areas/mne-Declaration/lang--en/index.htm);

- The ILO publication, Combating Forced Labour: A Handbook for Employers and Business (https://www.ilo.org/global/topics/forced-labour/publications/WCMS_101171/lang--en/index.htm);
- ILO Guidelines Concerning the Measurement of Forced Labor (https://ilostat.ilo.org/about/standards/icls/icls-documents/);
- International Organization for Migration's Ethical Recruitment Standards (https://iris.iom.int/); and
- Responsible Supply Chains in the Garment and Footwear Sector (https://www.oecd.org/en/publications/2018/03/oecd-due-diligence…)

Other Resources

- **Federal Acquisition Regulations (FAR):**
  - FAR Subpart 22.15 – Prohibition of Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor[20]
    - (https://www.acquisition.gov/far/subpart-22.15)
  - FAR Subpart 22.17 – Combating Trafficking in Persons[21]
    - (https://www.acquisition.gov/far/subpart-22.17)
  - FAR Clause 52.222-50 – Combating Trafficking in Persons[22]
    - (https://www.acquisition.gov/far/52.222-50)
  - FAR Provision 52.222-56 – Certification Regarding Trafficking in Persons Compliance Plan[23]
    - (https://www.acquisition.gov/far/part-52#FAR_52_222_56)
- The Human Trafficking Legal Center's guide, Importing Freedom: Using the U.S. Tariff Act to Combat Forced Labor in Supply Chains (https://htlegalcenter.org/sdm_downloads/importing-freedom-using-the-u-s-tariff-act-to-combat-forced-labor-in-supply-chains/);
- Practical Actions for Companies to Address the Worst Forms of Child Labour in the Mining Sector (https://mneguidelines.oecd.org/Practical-actions-for-worst-forms-of-child-labour-mining-sector.pdf); and
- Know The Chain (https://www.business-humanrights.org/en/from-us/knowthechain/) - A resource for businesses and investors to address forced labor in global supply chains.

BEST PRACTICES AND LESSONS FOR DUE DILIGENCE FOR IMPORTERS

All suppliers in an importer's supply chain, from raw materials to finished products, must provide comprehensive documentation proving their production processes are free of forced labor or otherwise are not subject to the specific law under which enforcement action was taken.

[20] 48 C.F.R. Subpart 22.15.
[21] 48 C.F.R. Subpart 22.17.
[22] 48 C.F.R. § 52.222-50.
[23] 48 C.F.R. § 52.222-56.

- 国际劳工组织出版物《打击强迫劳动：雇主与企业手册》(https://www.ilo.org/global/topics/forced-labour/publications/WCMS_101171/lang--en/index.htm);
- 国际劳工组织《强迫劳动计量指南》(https://ilostat.ilo.org/about/standards/icls/icls-documents/);
- 国际移民组织的《道德招聘标准》(https://iris.iom.int/)；以及
- 《服装和鞋类行业的负责任供应链》(https://www.oecd.org/en/publications/2018/03/oecd-due-diligence...)

其他资源

- **FAR**
  - o FAR 第22.15子部分--禁止采购产品的禁令由强迫劳动或契约童工生产[20]
    (https://www.acquisition.gov/far/subpart-22.15)
  - o FAR 第22.17子部分--打击人口贩运[21]
    (https://www.acquisition.gov/far/subpart-22.17)
  - o FAR 条款 52.222-50 - 打击人口贩运[22]
    (https://www.acquisition.gov/far/52.222-50)
  - o FAR 52.222-56 条款--关于人口贩运的证明合规计划[23]
    (https://www.acquisition.gov/far/part-52#FAR_52_222_56)
- 人口贩运法律中心的指南《进口自由：利用美国关税法打击供应链中的强迫劳动》(https://htlegalcenter.org/sdm_downloads/importing-freedom-using-the-u-s-tariff-act-to-combat-forced-labor-in-supply-chains/);
- 《企业应对采矿业最恶劣形式童工问题的实际行动》(https://mneguidelines.oecd.org/Practical-actions-for-worst-forms-of-童工采矿业.pdf)；以及
- Know The Chain(https://www.business-humanrights.org/en/from-us/Know The Chain/)--供企业和投资者应对全球供应链中强迫劳动问题的资源。

B

进口商供应链中的所有供应商，从原材料到成品，都必须提供全面的文件证明其生产过程不存在强迫劳动，或不属于据以采取执法行动的特定法律的适用范围。

20 48 C.F.R. 第22.15子部分。 21 48 C.F.R. 第22.17子部分。 22 48 C.F.R.52.222-50。 23 48 C.F.R.52.222-56。

If an importer fails to provide information regarding the production of even a single supplier in the chain, this will render the importer's submission insufficient to allow CBP to reach a determination of admissibility regarding the specific shipment and such shipment will be denied entry into the United States. This documentation requirement applies to merchandise detained or seized pursuant to a Withhold Release Order (WRO), Finding, UFLPA, or Countering America's Adversaries Through Sanctions Act (CAATSA). Being prepared with supply chain documentation in advance ensures that importers can respond effectively to CBP in case of detention or exclusion, which can greatly speed up the release process.

Importers should ask suppliers along their supply chain to provide a thorough explanation of their production process, demonstrating that the product was not made, wholly or in part, with forced labor, and to be prepared to provide documentation as proof. This requires researching all steps in the creation of the final goods. Due diligence involves fully understanding a good's production process on a detailed level.

GETTING STARTED WITH DUE DILIGENCE: A PRACTICAL UFLPA EXAMPLE

This hypothetical example below, while not exhaustive, outlines general UFLPA due diligence actions importers should take to ensure use of reasonable care before importing into the United States. CBP understands supply chains vary significantly by country, industry, and company, so due diligence actions vary accordingly.

Owen owns Old-Fashioned Overalls, Inc. in Oberlin, Ohio. Owen decides that he wants to begin importing clothing from China for his business. He recently attended an importer conference and listened to a speaker from CBP discuss the importance of due diligence and understanding supply chains for imported goods. Owen does not want to risk his goods being stopped for forced labor violations, but his company is small, and he does not have the resources to hire a dedicated team for supply chain due diligence. What steps can Owen take to do his own due diligence to ensure that he is following U.S. forced labor laws and not importing any goods that will be stopped by CBP at the border?

- Excellent resources for importers beginning their due diligence include:
  - Open queries on internet search engines (Google, Bing, Yahoo!, etc.) on potential business partners.
  - The List of Goods Produced by Child Labor or Forced Labor and Findings on the Worst Forms of Child Labor, to learn about which goods already have existing linkages to forced labor.
  - The WROs and Findings Dashboard to learn about existing WROs and Findings.
  - ImportWatch identifies and targets high-risk shipments for enforcement to ensure compliance with U.S. customs and trade laws, including prohibitions on goods made with forced labor.

如果进口商未能提供供应链中哪怕仅一个供应商的生产信息，这将导致进口商提交的材料不足以让 CBP 就该特定货物作出可接受性(是否准予入境)认定，该货物将被拒绝入境美国。本文件要求适用于依据暂扣令(WRO)、认定、UFLPA 或《以制裁反击美国对手法案》(CAATSA)被扣留或查封的商品。提前备妥供应链文件可确保进口商在遭遇扣留或排除(不予放行)时能够有效回应 CBP，从而大幅加快放行流程。

进口商应要求其供应链上的供应商对其生产过程作出详尽说明，证明产品并非全部或部分由强迫劳动制造，并准备好提供文件作为证明。这要求研究最终商品生产过程中的所有环节。尽职调查包括在详细层面上全面了解商品的生产过程。

UFLPA

以下假设示例虽非详尽无遗，但概述了进口商为确保在进口至美国前尽到合理注意而应采取的 UFLPA 尽职调查行动。CBP 理解供应链因国家、行业和公司而存在显著差异，因此尽职调查行动也相应有所不同。

Owen 在俄亥俄州奥伯林拥有 Old-Fashioned Overalls, Inc.。Owen 决定开始为其业务从中国进口服装。他最近参加了一场进口商会议，听取了 CBP 一位发言人就尽职调查和了解进口货物供应链重要性的讲话。Owen 不希望其货物因强迫劳动违规而被拦截，但他的公司规模较小，没有资源聘请专门团队进行供应链尽职调查。Owen 可以采取哪些步骤自行开展尽职调查，以确保其遵守美国强迫劳动法律，且不进口任何会被 CBP 在边境拦截的货物?

• 对于刚开始尽职调查的进口商，优质资源包括：o 在互联网搜索引擎(Google、Bing、Yahoo!等)上对潜在

商业合作伙伴。

o 《童工或强迫劳动生产商品清单》以及关于认定的最恶劣形式童工，以了解哪些商品已有现存的与强迫劳动的关联。

o 暂扣令与认定仪表板，以了解现有的暂扣令与认定。o ImportWatch识别并锁定高风险货物进行执法，以确保

遵守美国海关与贸易法律，包括对强迫劳动制造商品的禁令。

- SourcingStrong is a tool to help companies of all sizes build or improve a social compliance system to combat child and forced labor in their supply chains.

- When specifically sourcing from China, importers must also consider potential issues related to the UFLPA.
  - The *UFLPA Entity List* shows importers which entities are automatically subject to the UFLPA rebuttable presumption.
  - The *UFLPA Strategy* shows importers if their commodity is from a **priority sector**[24] for UFLPA enforcement.
  - The Xinjiang Supply Chain Business Advisory and its addendum contain information related to widespread, state-sponsored forced labor and intrusive surveillance in and related to Xinjiang.

Additional due diligence research resources can be found in the Helpful Resources section of this appendix.

! **Important:** It is not required that the resources listed in this example be used to conduct due diligence.[25] The resources listed here and throughout this appendix are tools for importers. Conducting due diligence and thorough research on any individual supply chain is a process that depends on the supply chain and business in question. The release of any goods detained for suspected forced labor violations will be dependent on whether an importer is able to clearly and convincingly demonstrate that their good was not produced with forced labor.

Hypothetical Example of Vetting a Foreign Company

Owen has found a textile manufacturer, Jolly Fun Time Apparel, that operates out of Hunan, China, from which he wants to source his clothing. He verified that it was not subject to any enforcement actions by checking the *UFLPA Entity List* to make sure it is not in violation of UFLPA, and CBP's WROs and Findings Dashboard to make sure it was not subject to such orders. Jolly Fun Time Apparel seems like a reputable partner, but Owen knows that due diligence involves making sure that the entire supply chain of the clothing he wants to import is free from forced labor.

Owen will need to understand the entire production process for the clothing he wants to import and then examine all suppliers in Jolly Fun Time Apparel's supply chain, from raw materials to finished products. All suppliers along Jolly Fun Time Apparel's supply chain must also do their due diligence and provide comprehensive documentation proving their production processes are free of forced labor. Additionally, at each stage of production, Owen should confirm the country

[24] A priority sector is one that has been identified as having significant production ties to the XUAR.
[25] However, for UFLPA-related detentions and exclusions, importers are required to follow the guidance, as well as use any resources, outlined in the *UFLPA Strategy*.

- SourcingStrong是一个帮助各种规模的公司建立或改进社会合规体系，以打击其供应链中的童工和强迫劳动。

- 当专门从中国采购时，进口商还必须考虑与 UFLPA 相关的潜在问题。
  - *UFLPA* 实体清单向进口商显示哪些实体自动适用UFLPA可反驳推定。
  - *UFLPA* 战略向进口商显示其商品是否来自 [24] 用于UFLPA执法。
  - 《新疆供应链商业警示》及其附录包含 与新疆境内及涉及新疆的广泛的国家支持的强迫劳动和侵入性监控相关的信息。

更多尽职调查资源可在本文件的有用资源部分找到附录。

! 本示例中列出的资源并非必须用于开展尽职调查。[25]此处及本附录全篇列出的资源均为进口商的工具。对任何特定供应链开展尽职调查和全面研究是一个取决于所涉供应链和企业的过程。任何因涉嫌强迫劳动违规而被扣留的货物能否放行，取决于进口商能否清晰且令人信服地证明其货物并非使用强迫劳动生产。

Owen 找到了一家位于中国湖南的纺织品制造商 Jolly Fun Time Apparel，他希望从该制造商采购服装。他通过查询*UFLPA* 实体清单确认该制造商未受到任何执法行动，以确保其不违反 UFLPA，并查询 CBP 的暂扣令和认定仪表板，以确保其未受到此类命令的约束。Jolly Fun Time Apparel 似乎是一个信誉良好的合作伙伴，但 Owen 知道尽职调查涉及确保其希望进口的服装的整个供应链不存在强迫劳动。

Owen 需要了解他希望进口的服装的整个生产过程，然后审查 Jolly Fun Time Apparel 供应链中的所有供应商，从原材料到成品。Jolly Fun Time Apparel 供应链上的所有供应商也必须进行尽职调查，并提供全面的文件证明其生产过程不存在强迫劳动。此外，在生产过程的每个阶段，Owen 都应确认原产国

[24]优先行业是指已被认定与 XUAR 有重大生产关联的行业。
[25]但是，对于与 UFLPA 相关的扣留和排除(不予放行)，进口商须遵循*UFLPA Strategy*中所述的指引并使用其中列出的任何资源。

of origin for all raw materials and components, ensuring that none are sourced from the XUAR or from entities on the *UFLPA Entity List,* or are otherwise produced with forced labor.

To strengthen his due diligence, Owen can ensure that a credible independent third-party audit is conducted and can conduct risk assessments to verify the labor conditions within the supply chain. He should also use supply chain transparency tools to trace the movement of goods and inputs, ensuring that no commingling occurs with materials from high-risk regions.

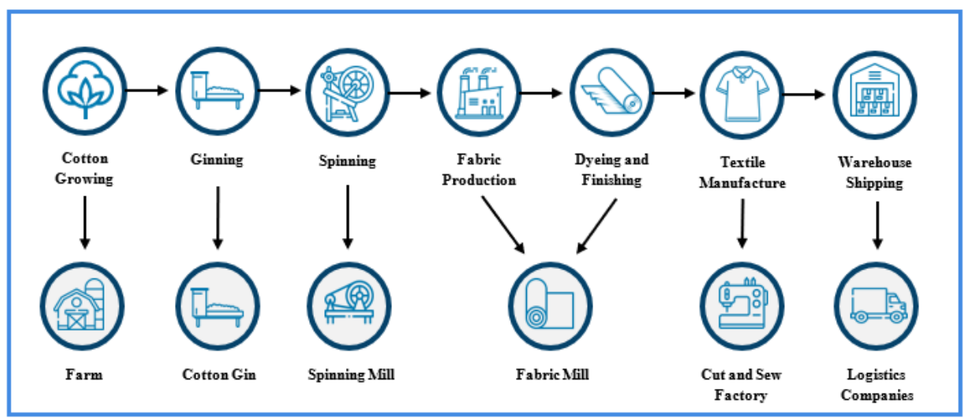
Communicating directly with suppliers is essential to identifying potential risks and setting clear expectations regarding compliance with UFLPA requirements. Suppliers are encouraged to maintain detailed records and should be prepared to share them with CBP if necessary.

Owen should also monitor public reports, news, and allegations related to forced labor in the industry and region. By staying informed, he can proactively address any red flags that may arise.

Preparing to Respond to a Potential Detention

While reviewing the *UFLPA Strategy* and Attachment 2-B, Owen realizes that apparel, cotton, and cotton products are priority sectors for UFLPA enforcement and that there are supplemental supply-chain tracing information instructions for apparel and cotton products. Learning this, Owen wants to be prepared in case of any potential detentions of his shipments and make sure that his supply chain is free from forced labor as well as free from any UFLPA input. To make sure that he is ready to respond to any detentions, Owen should request and review transactional, financial, and transportation records, such as invoices, purchase orders, contracts, packing lists, bills of lading, and proofs of payment for Jolly Fun Time Apparel itself as well as all the companies in the supply chain down to the raw material stage where the cotton was sourced from. He wants to ensure that he has all the documentation that he needs to prove to CBP that the supply chain is not tainted by forced labor or subject to the UFLPA. If any company in the

Jolly Fun Time Apparel's Textile Production Processes



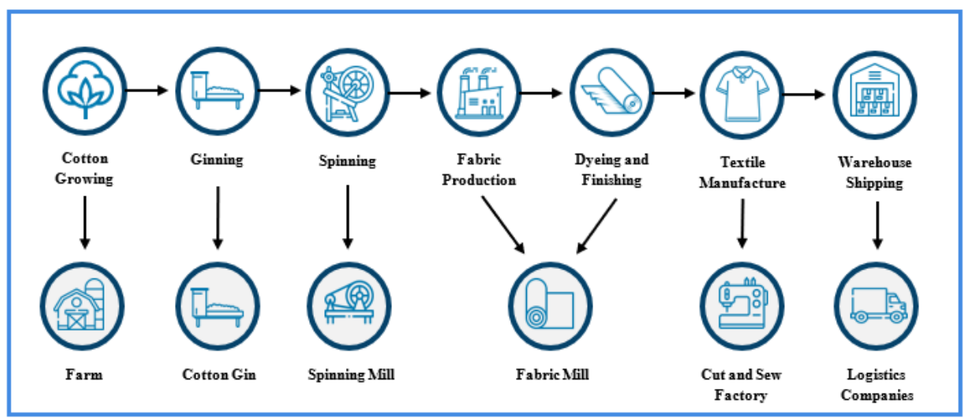
所有原材料和组件的原产地，确保均不采购自 XUAR 或*UFLPA* 实体清单上的实体，也不以其他方式使用强迫劳动生产。

为加强其尽职调查，Owen 可确保开展可信的独立第三方审计，并可进行风险评估以核实供应链内的劳动条件。他还应使用供应链透明度工具追溯货物和投入品的流动，确保不与来自高风险地区的材料发生混同。

与供应商直接沟通对于识别潜在风险并就遵守 UFLPA 要求设定明确预期至关重要。鼓励供应商保存详细记录，并应准备好必要时向 CBP 提供。Owen 还应监测与该行业和地区强迫劳动相关的公开报告、新闻和指控。通过保持信息灵通，他可主动应对可能出现的任何警示信号。

在审阅*UFLPA* 战略及附件 2-B 时，Owen 意识到服装、棉花和棉制品是 UFLPA 执法的优先行业，并且针对服装和棉制品有补充的供应链追溯信息说明。了解到这一点后，Owen 希望为货物可能被扣留的任何情况做好准备，并确保其供应链不存在强迫劳动以及不含任何 UFLPA 投入。为确保他准备好应对任何扣留，Owen 应索取并审阅交易、财务和运输记录，例如 Jolly Fun Time Apparel 本身以及供应链中直至棉花原料采购阶段的所有公司的发票、采购订单、合同、装箱单、提单和付款证明。他希望确保自己拥有向 CBP 证明供应链未受强迫劳动污染或不受 UFLPA 约束所需的所有文件。如果

Jolly Fun Time Apparel's Textile Production Processes



supply chain cannot or will not provide the documentation requested, Owen should consider finding a new supplier.

Owen, in conducting his due diligence along Jolly Fun Time Apparel's supply chain, began requesting documentation to trace the supply chain at each step of the production process. Starting with the cotton ginning stage, he confirmed through supplier records and certificates of origin that the cotton used in the textiles was sourced from farms in the United States and Brazil. Moving to the spinning and weaving stages, Owen contacted the mills to obtain production records and worker payroll information to verify that no forced labor was involved. For the dyeing and finishing processes, he requested chemical purchase logs and environmental compliance certifications to ensure the facilities adhered to regulatory standards. At the garment manufacturing stage, Owen sought factory audit reports and worker contracts to confirm ethical labor practices. Finally, he reached out to the distribution warehouse to obtain shipping manifests and inventory records to complete the documentation trail.[26]

By gathering this evidence, Owen demonstrated that the entire supply chain complied with U.S. trade and customs laws and avoided links to forced labor. After conducting his due diligence and reviewing all Jolly Fun Time Apparel's documentation and that of all suppliers along the supply chain, Owen finds no risk of forced labor and decides to partner with Jolly Fun Time Apparel.

[26] Please note that this is an example and should not be understood to be used as a definitive list of documentation needed or steps to take to create a complete due diligence package. Individual situations will vary based on circumstances.

供应链无法或不愿提供所要求的文件，Owen 应考虑寻找新的供应商。

Owen 在对 Jolly Fun Time Apparel 的供应链进行尽职调查时，开始索取文件以追溯生产流程每个环节的供应链。从棉花轧花阶段开始，他通过供应商记录和原产地证书确认，纺织品所用棉花来自美国和巴西的农场。进入纺纱和织造阶段后，Owen 联系了工厂，获取生产记录和工人工资信息，以核实不存在强迫劳动。对于染色和整理工序，他索取了化学品采购日志和环境合规认证，以确保设施符合监管标准。在服装制造阶段，Owen 索取了工厂审计报告和工人合同，以确认合乎道德的劳动实践。最后，他联系了配送仓库，获取舱单和库存记录，以完成文件追溯链。[26]

通过收集这些证据，Owen 证明整个供应链符合美国贸易和海关法律，并避免了与强迫劳动的任何关联。在完成尽职调查并审查了 Jolly Fun Time Apparel 及供应链上所有供应商的所有文件后，Owen 认定不存在强迫劳动风险，并决定与 Jolly Fun Time Apparel 合作。

[26]请注意，此仅为示例，不应被理解为用于创建完整尽职调查包所需文件或应采取步骤的确定性清单。具体情况将因情形而异。

Appendix C: Best Practices for Importers When Submitting Documentation

Importers should clearly label submissions, particularly those with multiple documents, with similar names. Electronic files containing multiple documents should be grouped in an organized manner to allow for efficient tracing of the supply chain, for example, grouping by each component or production stage. Use a consistent system of numbering each document and exhibiting throughout.

Examples: 1.1 supplier123/manufacturer ABC & copper tube; 1.2 supplier456/manufacturer DEF & copper tube.

Provide a numbered exhibit list that lists all exhibits accompanying the cover letter.

1. Provide an index containing the relevance of the documents provided.
2. Bracket any **Business Confidential Information (BCI)** in double brackets (i.e., [[BCI]]).
3. Make scanned image-only pages in PDF submissions searchable (i.e., OCR).
4. Provide original non-English version and English-translated versions of documents.
5. Avoid providing unnecessary or duplicative documents.
6. Avoid submitting unnecessary or multiple files.

附录C:进口商提交文件时的最佳实践

进口商应清晰标注提交材料，尤其是包含多份文件且名称相似的材料。包含多份文件的电子文件应以有条理的方式分组，以便高效追溯供应链，例如按每个组件或生产阶段分组。使用一致的编号系统对每份文件进行编号并在全篇中标注。

示例：1.1 供应商123/制造商 ABC 与铜管；1.2 供应商456/制造商 DEF 与铜管。

提供编号的证据清单，列明随附函附上的所有证据。

1. 提供一份索引，列明所提供文件的相关性。
2. 将任何 **BCI** 置于双方括号内(即 [[BCI]])。
3. 将PDF提交材料中的扫描纯图像页面设为可搜索(即OCR)。
4. 提供文件的原始非英文版本和英文翻译版本。
5. 避免提供不必要或重复的文件。
6. 避免提交不必要或多份文件。

Appendix D: Isotopic Testing

Overview of Isotopic Testing for Origin Determination

Isotopic testing is a scientific method that identifies the atomic structure of naturally occurring materials, or a "fingerprint" of the material, affected by local environmental conditions. For example, in the case of cotton, it is the environmental conditions experienced by the plant during growth, not the seed's origin, that will determine the isotopic fingerprint of the cotton fiber. When that fingerprint is compared to a library of like materials from various geographic areas, the test can determine that the raw material is consistent with the claimed geographic origin.

The process to complete an isotopic test is time-intensive and requires sophisticated instruments and analysis. Isotopic testing is a complex process, and requires scientific expertise, advanced equipment, and trained experts. Furthermore, testing results are not instant, and timeframes vary based on complexity. For this reason, U.S. Customs and Border Protection (CBP) continues to encourage the inclusion of testing early in an importer's due diligence program.

Please note: Isotopic testing will not function as a viable method of origin determination for all products.

Contact the industry-specific Center for questions on viability of isotopic testing.

CBP does not endorse any particular testing facility, process, or company. Refer to CBP's Isotopic Testing Guide for recommended criteria for isotopic testing.

附录 D：同位素检测

同位素检测是一种科学方法，用于识别受当地环境条件影响的天然材料的原子结构，即该材料的"指纹"。例如，就棉花而言，决定棉纤维同位素指纹的是植物在生长期间所经历的环境条件，而非种子的原产地。将该指纹与来自不同地理区域的同类材料库进行比对，检测即可确定原材料与所声称的地理原产地是否一致。完成同位素检测的过程耗时较长，且需要精密仪器和分析。同位素检测是一个复杂的过程，需要科学专业知识、先进设备和训练有素的专家。此外，检测结果并非即时可得，所需时间因复杂程度而异。因此，美国海关与边境保护局(CBP)继续鼓励进口商将检测尽早纳入其尽职调查计划。

同位素检测并非对所有产品都是可行的原产地判定方法。

就同位素检测的可行性问题，请联系行业特定中心。

CBP 不认可任何特定的检测设施、流程或公司。有关同位素检测的建议标准，请参阅 CBP 的同位素检测指南。

Appendix E: Applicability Review Request Submission Documentation

The following is a list of documents to use as supporting evidence for applicability review requests together with the required information described in the *UFLPA Strategy*, Section VI, B, pages 49-50. Please note that this is not a comprehensive list of evidence that may be required from the importer, and the requirements will vary based on the facts and circumstances of the import in question.

Supply-Chain Tracing Information Documentation Demonstrating Goods Were Not Mined, Produced, or Manufactured, Wholly or In Part, in the XUAR or by an Entity on the *UFLPA Entity List*

Evidence Pertaining to Overall Supply Chain

- Detailed description of supply chain, including imported merchandise and components thereof, including all stages of mining, production, or manufacture.
- The role(s) of the entities in the supply chain, including shippers and exporters. For example, CBP will need to determine whether a supplier is also a manufacturer.
- For entities in the supply chain, identify any relationships in accordance with 19 C.F.R. § 152.102(g).
- A list of suppliers associated with each step of the production process, including names and contact information (addresses, email addresses, and phone number).
- Affidavits from each company or entity are involved in the production process.

Evidence Pertaining to Merchandise or Any Component Thereof

- Purchase orders
- Invoice for all suppliers and sub-suppliers
- Packing list
- Bill of materials
- Certificates of origin
- Payment records
- Seller's inventory records, including dock/warehouse receipts
- Shipping records, including manifests, bills of lading (e.g., airway/vessel/trucking)
- Buyer's inventory records, including dock/warehouse receipts
- Invoices and receipts for all suppliers and sub-suppliers
- Import/export records

附录E:适用性审查请求提交文件

以下文件清单可用作适用性审查请求的支持性证据，连同UFLPAStrategy第六部分 B 第 49-50 页所述的必要信息一并提交。请注意，这并非可能要求进口商提供的证据的完整清单，具体要求将因所涉进口的事实和情形而异。

XUAR **UFLPA**

- 供应链的详细描述，包括进口商品及其组件，涵盖开采、生产或制造的所有阶段。
- 供应链中各实体的角色，包括托运人和出口商。例如，CBP 将需要确定某供应商是否同时也是制造商。
- 对于供应链中的实体，依据 19 C.F.R.识别任何关联关系

152.102 (g)。

- 与生产过程各步骤相关的供应商清单，包括名称和联系信息(地址、电子邮件地址和电话号码)。
- 生产过程中涉及的每家公司和实体出具的宣誓书。

- 采购订单
- 所有供应商和分供应商的发票
- 装箱单
- 物料清单
- 原产地证书
- 付款记录
- 卖方的库存记录，包括码头/仓库收货凭证
- 运输记录，包括舱单、提单(例如空运/海运/卡车运输)
- 买方的库存记录，包括码头/仓库收货记录
- 所有供应商和分供应商的发票和收据
- 进出口记录

Evidence Pertaining to Miner, Producer, or Manufacturer

- Evidence listed in the previous sections above pertaining to merchandise or any component thereof for raw materials
- Mining, production, or manufacturing records
  - Documents should allow CBP to trace raw materials to merchandise mined, produced, or manufactured
  - Production orders
  - Reports on factory production capacity for the merchandise
  - Reports on factory site visits by the importer, a downstream supplier sourcing from this factory, or a third party
  - Evidence that the volume of input of component materials matches the volume of output for the merchandise produced
- Any other evidence to demonstrate that a good was not mined, produced, or manufactured wholly or in part by forced labor
  - All audits should be unannounced and conducted by independent or third-party auditors that can conduct reviews on the International Labour Organization's (ILO) 11 indicators of forced labor.
  - Note: CBP generally does not consider financial audits, environmental audits, or audits that do not specifically look at the ILO indicators of forced labor to be sufficient to mitigate forced labor risk in production processes.

- 上文各节所列的与商品或其任何组件相关的原材料证据
- 开采、生产或制造记录 o 文件应能使 CBP 将原材料追溯至开采、生产的商品，
  或制造
  o 生产订单
  o 关于该商品工厂生产能力的报告 o 关于进口商、向进口商供货的下游供应商进行工厂实地考察的报告
  该工厂或第三方
  o 证明组件材料投入量与
  为所生产商品提供的产出
- 任何其他证明该商品并非全部或部分由强迫劳动开采、生产或制造的证据所有审计均应未经事先通知，并由独立或第三方进行
  审计人员，其能够就国际劳工组织(ILO)11 项强迫劳动指标开展审查。
  o 注：CBP 通常不认为财务审计、环境审计或未专门审查 ILO 强迫劳动指标的审计足以降低生产过程中的强迫劳动风险。

Appendix F: Exception Review Request Submission Documentation

The following is a list of documents to use as supporting evidence for exception review requests together with the required information described in the *UFLPA Strategy*, Section VI, C, pages 50-51. Please note that this is not a comprehensive list of evidence that may be required from the importer, and the requirements will vary based on the facts and circumstances of the import in question.

Due Diligence System Information

- Engagement with suppliers and other stakeholders to assess and address forced labor risk.
- Mapping of the supply chain and assessing forced labor risks along the supply chain from raw materials to production of the imported good.
- Written supplier code of conduct forbidding the use of forced labor and addressing the risk of use of Chinese government labor schemes.
- Training on forced labor risks for employees and agents who select and interact with suppliers.
- Monitoring supplier compliance with the code of conduct.
- Remediation of any forced labor conditions identified or termination of the supplier relationship if remediation is not possible or is not timely completed.
- Independent verification of the implementation and effectiveness of the due diligence system.
- Reporting performance and engagement publicly on its due diligence system.

Documentation on Supply Chain Management Measures

- Internal controls to prevent or mitigate forced labor risk and remediate any use of forced labor identified in the mining, production, or manufacture of imported goods.
- An importer should be able to demonstrate that documents provided are part of an operating system or an accounting system that includes audited financial statements.
- Note: Financial audits, environmental audits, or audits that do not specifically look at the ILO indicators of forced labor will not be considered sufficient to mitigate forced labor risk in production processes.

Evidence Goods Originating in China Were Not Mined, Produced, or Manufactured, Wholly or In Part, by Forced Labor

- Supply chain map identifying all entities involved in production of the goods.
- Information on workers at each entity involved in the production of the goods in China such as wage payment and production output per worker.
- Information on worker recruitment and internal controls to ensure that all workers in China were recruited and are working voluntarily.

附录F:例外审查请求提交文件

以下文件清单可作为例外审查请求的支持证据，连同*UFLPA* 战略第六部分 C 节第 50-51 页所述的必要信息一并提交。请注意，本清单并非进口商可能被要求提供的证据的完整清单，具体要求将根据相关进口的事实和情况而有所不同。

- 与供应商及其他利益相关方接触，以评估和应对强迫劳动风险。
- 梳理供应链，并评估从原材料到进口商品生产的整个供应链上的强迫劳动风险。
- 书面的供应商行为准则，禁止使用强迫劳动并应对使用中国政府劳工计划的风险。
- 对负责选择供应商并与供应商互动的员工和代理人进行强迫劳动风险培训。
- 监督供应商对行为准则的遵守情况。
- 对发现的任何强迫劳动状况进行补救，或在无法补救或未及时完成补救时终止供应商关系。
- 对尽职调查体系的实施情况和有效性进行独立验证。
- 公开报告其尽职调查体系的绩效与参与情况。

- 内部控制措施，以预防或减轻强迫劳动风险，并对进口商品在采矿、生产或制造过程中发现的任何强迫劳动使用情况进行补救。
- 进口商应能够证明所提供的文件是包含经审计财务报表的运营系统或会计系统的一部分。
- 注：财务审计、环境审计或未专门审查国际劳工组织强迫劳动指标的审计，将不被视为足以减轻生产过程中的强迫劳动风险。

- 供应链图谱，标明参与货物生产的所有实体。
- 关于中国境内参与货物生产的各实体工人的信息，如工资支付情况和每名工人的产量。
- 关于工人招聘的信息以及确保中国境内所有工人均系自愿招聘和自愿工作的内部控制措施。

- Credible audits to identify forced labor indicators and remediation of these, if applicable.
  - All audits should be unannounced and conducted by independent or third-party auditors that can conduct reviews on the ILO 11 indicators of forced labor.

- 用于识别强迫劳动指标的可信审计及对这些指标的补救(如适用)。o 所有审计均应突击进行，并由独立或第三方

  可对国际劳工组织(ILO)11项强迫劳动指标开展审查的审计机构。

Appendix G: UFLPA Detention Notice

This UFLPA detention notice is being used as an example. Its content is current as of the date of this document's publication and may be subject to change in the future.

CUSTOMS AND BORDER
PROTECTION
UFLPA Attachment to the Notice of Detention

Detention Number:_____
Port Code:_____ **Port Name:**_____
Date of Detention:_____
Entry Number:_____ **Line Number:**_____
Broker/Importer:_____
Description of Merchandise:_____

Reason for Detention:
This immediate shipment has been identified as potentially being manufactured in the Xinjiang Uyghur Autonomous Region (Xinjiang) of the People's Republic of China (PRC), or by entities identified by the U.S. government on a Uyghur Forced Labor Prevention Act (UFLPA) entities list, or with inputs from the Xinjiang.

As such, this merchandise may be subject to the UFLPA, (Pub. L. 117-78), (22 U.S.C. Section 6901), and Section 307 of the Tariff Act of 1930, 19 U.S.C. Section 1307, and is detained in accordance with 19 U.S.C Section1499(c). If during the period of detention CBP ultimately determines the merchandise is subject to the UFLPA, the merchandise will be prohibited from entering the United States, as it will be presumed to have been produced, wholly or in part, using forced labor. The UFLPA creates a presumption that imports of all goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang, or by entities identified by the U.S. government on a UFLPA entities list, are made with forced labor and are prohibited from entry into the United States. The presumption also applies to goods made in, or shipped through, the PRC and other countries that include inputs made in Xinjiang.

The importer may request an exception to the presumption or assert a claim that the goods are not within the purview of the UFLPA, by providing to CBP, within 30 days from the date of this notice, a written response to the detention. A request for an exception to the presumption must contain the information required by Section 3(b) of the UFLPA.

The importer must consult the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China (UFLPA Strategy), published by the Department of Homeland Security (DHS), in its role as the chair of the Forced Labor Enforcement Task Force (FLETF), on June 21, 2022, for compliance with specific importer guidance as required by the UFLPA.

The importer may submit a request to the Port Director to request an extension to the 30 days to provide documentation before the end of the detention period. The importer may also seek approval from the CBP Port of Entry to export the merchandise at any time during the detention process.

Where CBP applies the rebuttable presumption to a shipment, the importer must (1) fully comply with the due diligence, effective supply chain tracing, and supply chain management measures contained in the UFLPA Strategy; (2) completely and substantively respond to all CBP requests to ascertain whether the goods were mined, produced or manufactured wholly or in part with forced labor; and (3) and demonstrate by clear and convincing evidence that the good, ware,

附录G:UFLPA扣留通知

本 UFLPA 扣留通知仅作为示例使用。其内容截至本文件发布之日为最新，今后可能会有所变更。

CUSTOMS AND BORDER
PROTECTION
UFLPA Attachment to the Notice of Detention

Detention Number:_____
Port Code:_____ **Port Name:**_____
Date of Detention:_____
Entry Number:_____ **Line Number:**_____
Broker/Importer:_____
Description of Merchandise:_____

Reason for Detention:
This immediate shipment has been identified as potentially being manufactured in the Xinjiang Uyghur Autonomous Region (Xinjiang) of the People's Republic of China (PRC), or by entities identified by the U.S. government on a Uyghur Forced Labor Prevention Act (UFLPA) entities list, or with inputs from the Xinjiang.

As such, this merchandise may be subject to the UFLPA, (Pub. L. 117-78), (22 U.S.C. Section 6901), and Section 307 of the Tariff Act of 1930, 19 U.S.C. Section 1307, and is detained in accordance with 19 U.S.C Section1499(c). If during the period of detention CBP ultimately determines the merchandise is subject to the UFLPA, the merchandise will be prohibited from entering the United States, as it will be presumed to have been produced, wholly or in part, using forced labor. The UFLPA creates a presumption that imports of all goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang, or by entities identified by the U.S. government on a UFLPA entities list, are made with forced labor and are prohibited from entry into the United States. The presumption also applies to goods made in, or shipped through, the PRC and other countries that include inputs made in Xinjiang.

The importer may request an exception to the presumption or assert a claim that the goods are not within the purview of the UFLPA, by providing to CBP, within 30 days from the date of this notice, a written response to the detention. A request for an exception to the presumption must contain the information required by Section 3(b) of the UFLPA.

The importer must consult the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China (UFLPA Strategy), published by the Department of Homeland Security (DHS), in its role as the chair of the Forced Labor Enforcement Task Force (FLETF), on June 21, 2022, for compliance with specific importer guidance as required by the UFLPA.

The importer may submit a request to the Port Director to request an extension to the 30 days to provide documentation before the end of the detention period. The importer may also seek approval from the CBP Port of Entry to export the merchandise at any time during the detention process.

Where CBP applies the rebuttable presumption to a shipment, the importer must (1) fully comply with the due diligence, effective supply chain tracing, and supply chain management measures contained in the UFLPA Strategy; (2) completely and substantively respond to all CBP requests to ascertain whether the goods were mined, produced or manufactured wholly or in part with forced labor; and (3) and demonstrate by clear and convincing evidence that the good, ware,

article, or merchandise was not mined, produced, or manufactured wholly or in part by forced labor, to overcome the presumption. These requirements extend throughout the entire supply chain, to include goods that may be shipped to third countries for further processing.

Alternatively, if the importer believes that their detained merchandise is not subject to the UFLPA, the importer may provide information to CBP to that effect, *i.e.*, information that the imported goods and their inputs are sourced completely from outside Xinjiang and have no connection to entities on the UFLPA Entity List. The importer must provide documentation that substantiates the absence of inputs subject to UFLPA from its supply chain. (Refer to Section IV of the CBP operational guidance document for a non-exhaustive list of documents that CBP may request from the importer.)

The importer must submit documentation to CBP via the Document Image System (DIS) or submit it to their assigned Center of Excellence and Expertise with a copy to the port of entry where shipment is detained.

If the importer provides sufficient evidence to overcome the UFLPA presumption of forced labor, or provides sufficient information that demonstrates the UFLPA is not applicable to the shipment, and there are no other admissibility concerns, CBP will release the shipment.

Additional Information/Action Requested of Importer:
The importer must provide sufficient documentation to trace the entire supply chain from the raw materials to the processing of downstream products to the merchandise imported into the United States. Identify all parties involved and provide a list of suppliers with names and addresses, a flow chart of the production process, and maps of the country and/or region where each part of the product originated. The importer must also provide sufficient document to demonstrate that the goods were not mined, produced, or manufactured wholly or in part with forced labor.
Specific examples of relevant documentation may include:

- Certificates of origin
- Purchase orders, invoices, and proof of payment
- Packing lists
- Payment records
- Bills of lading
- Shipping records
- Production records
- Inventory records supporting production
- List of production steps and chain of custody records for the imported merchandise
- Transportation documents
- Daily manufacturing process reports

The above is not an exhaustive list and submission of the identified production and supply chain information does not guarantee release as CBP continues to investigate and identify circumstances of forced labor and connected entities which could result in the exclusion or seizure of the merchandise. Importer should consult the UFLPA Strategy and CBP's importer guidance. Additional guidance on supply chain tracing for certain commodity types is provided

UFLPA Attachment to the Notice of Detention

article, or merchandise was not mined, produced, or manufactured wholly or in part by forced labor, to overcome the presumption. These requirements extend throughout the entire supply chain, to include goods that may be shipped to third countries for further processing.

Alternatively, if the importer believes that their detained merchandise is not subject to the UFLPA, the importer may provide information to CBP to that effect, *i.e.*, information that the imported goods and their inputs are sourced completely from outside Xinjiang and have no connection to entities on the UFLPA Entity List. The importer must provide documentation that substantiates the absence of inputs subject to UFLPA from its supply chain. (Refer to Section IV of the CBP operational guidance document for a non-exhaustive list of documents that CBP may request from the importer.)

The importer must submit documentation to CBP via the Document Image System (DIS) or submit it to their assigned Center of Excellence and Expertise with a copy to the port of entry where shipment is detained.

If the importer provides sufficient evidence to overcome the UFLPA presumption of forced labor, or provides sufficient information that demonstrates the UFLPA is not applicable to the shipment, and there are no other admissibility concerns, CBP will release the shipment.

Additional Information/Action Requested of Importer:
The importer must provide sufficient documentation to trace the entire supply chain from the raw materials to the processing of downstream products to the merchandise imported into the United States. Identify all parties involved and provide a list of suppliers with names and addresses, a flow chart of the production process, and maps of the country and/or region where each part of the product originated. The importer must also provide sufficient document to demonstrate that the goods were not mined, produced, or manufactured wholly or in part with forced labor.
Specific examples of relevant documentation may include:

- Certificates of origin
- Purchase orders, invoices, and proof of payment
- Packing lists
- Payment records
- Bills of lading
- Shipping records
- Production records
- Inventory records supporting production
- List of production steps and chain of custody records for the imported merchandise
- Transportation documents
- Daily manufacturing process reports

The above is not an exhaustive list and submission of the identified production and supply chain information does not guarantee release as CBP continues to investigate and identify circumstances of forced labor and connected entities which could result in the exclusion or seizure of the merchandise. Importer should consult the UFLPA Strategy and CBP's importer guidance. Additional guidance on supply chain tracing for certain commodity types is provided

Page 2

61

UFLPA Attachment to the Notice of Detention

in the addendum below. Additional guidance for UFLPA and forced labor can be found on the CBP website https://www.cbp.gov/trade/forced-labor/UFLPA.

Tests or Inquiries to be Conducted:

Requested by (Date):
Supporting documentation should be submitted in English, with original copies attached to translated versions when applicable, and provided within 30 days from the date of this detention notice. It is preferred that all supporting documents are sent to CBP in a single submission, but the importer may choose to notify CBP at the time of submission if additional supporting documents are forthcoming. **Please submit your review request and supporting documents in the Forced Labor Portal (https://flportal.cbp.gov).**

Name of Detaining Officer: _____
CBP Point of Contact: _____
CBP Point of Contact Phone Number: _____
Date of Conditional Release: N/A
Location of Good: N/A
Additional Remarks:

Page 3

UFLPA Attachment to the Notice of Detention

in the addendum below. Additional guidance for UFLPA and forced labor can be found on the CBP website https://www.cbp.gov/trade/forced-labor/UFLPA.

Tests or Inquiries to be Conducted:

Requested by (Date):
Supporting documentation should be submitted in English, with original copies attached to translated versions when applicable, and provided within 30 days from the date of this detention notice. It is preferred that all supporting documents are sent to CBP in a single submission, but the importer may choose to notify CBP at the time of submission if additional supporting documents are forthcoming. **Please submit your review request and supporting documents in the Forced Labor Portal (https://flportal.cbp.gov).**

Name of Detaining Officer: _____
CBP Point of Contact: _____
CBP Point of Contact Phone Number: _____
Date of Conditional Release: N/A
Location of Good: N/A
Additional Remarks:

Page 3

UFLPA Attachment to the Notice of Detention

Addendum: Commodity Specific Supplemental Supply Chain Tracing Information

Aluminum products

- Provide flowchart(s) of all manufacturing steps and distinguish what company performs each step (if more than one company is involved in the production of the aluminum product and finishing coats).
- Provide certificate(s) of origin or manufacturer's affidavit attesting to the origin of each material used to produce the aluminum product. Manufacturer's affidavits should provide the name of the entity and specific location where each material is mined, smelted, and manufactured.
- Provide raw materials invoices; purchase orders and proof of payment; production records; and export documents and information.
- Provide details on the manufacturing process where the aluminum was produced into ingots and billets.
- Provide the location where the aluminum was further manufactured into extrusions, coils, wire, or other aluminum products.

Batteries:

- Identify the imported battery type(s): Cylindrical, prismatic, pouch type, solid state, lead acid, etc. (Depending on the battery type, certain processes or components listed below may or may not be applicable.)
- Provide a complete list of raw materials, the country/region of origin of such materials and the names and addresses of the respective manufacturers and /or suppliers invoices for battery raw material and components, such as: Lithium iron phosphate, lead, graphite, copper, positive/negative active material, carbon and binders, electrodes (anodes/cathodes), collector foils, plates, separators, electrolyte and inactive components, printed circuit board assemblies, wiring, thermistors, insulators, cell hardware, module hardware, battery jackets, etc.
- Provide a flowchart of the battery production process identifying all manufacturing parties and each transformative step(s) in which each party performs, such as: Mineral/ore extraction, slurry preparation, electrode coating and drying, electrode punching, secondary vacuum drying, electrode stacking, vacuum sealing, electrolyte filling, pouch formation, tab formation, aging, testing and packing.
- Provide a list of battery manufacturing equipment models owned by each manufacturing party such as: Coating machines; vacuum mixers, dryers, calendaring/pressing machines, slitters, stackers, winders, sealers, tab welders, electrolyte fillers and testing equipment.
- Provide all transportation documents between suppliers and manufacturers, including bills of lading, delivery receipts and arrival notices through each phase of production indicating the movement of all materials, components, sub-components, sub-assemblies, cells, and modules through the finished product exported to the United States.

Cotton products:

- Provide sufficient documentation to show the entire supply chain, from the origin of the cotton at the bale level to the final production of the finished product (i.e., harvesting (cultivation/extraction), purification, finishing, conversion into final product).

UFLPA Attachment to the Notice of Detention

Addendum: Commodity Specific Supplemental Supply Chain Tracing Information

Aluminum products

- Provide flowchart(s) of all manufacturing steps and distinguish what company performs each step (if more than one company is involved in the production of the aluminum product and finishing coats).
- Provide certificate(s) of origin or manufacturer's affidavit attesting to the origin of each material used to produce the aluminum product. Manufacturer's affidavits should provide the name of the entity and specific location where each material is mined, smelted, and manufactured.
- Provide raw materials invoices; purchase orders and proof of payment; production records; and export documents and information.
- Provide details on the manufacturing process where the aluminum was produced into ingots and billets.
- Provide the location where the aluminum was further manufactured into extrusions, coils, wire, or other aluminum products.

Batteries:

- Identify the imported battery type(s): Cylindrical, prismatic, pouch type, solid state, lead acid, etc. (Depending on the battery type, certain processes or components listed below may or may not be applicable.)
- Provide a complete list of raw materials, the country/region of origin of such materials and the names and addresses of the respective manufacturers and /or suppliers invoices for battery raw material and components, such as: Lithium iron phosphate, lead, graphite, copper, positive/negative active material, carbon and binders, electrodes (anodes/cathodes), collector foils, plates, separators, electrolyte and inactive components, printed circuit board assemblies, wiring, thermistors, insulators, cell hardware, module hardware, battery jackets, etc.
- Provide a flowchart of the battery production process identifying all manufacturing parties and each transformative step(s) in which each party performs, such as: Mineral/ore extraction, slurry preparation, electrode coating and drying, electrode punching, secondary vacuum drying, electrode stacking, vacuum sealing, electrolyte filling, pouch formation, tab formation, aging, testing and packing.
- Provide a list of battery manufacturing equipment models owned by each manufacturing party such as: Coating machines; vacuum mixers, dryers, calendaring/pressing machines, slitters, stackers, winders, sealers, tab welders, electrolyte fillers and testing equipment.
- Provide all transportation documents between suppliers and manufacturers, including bills of lading, delivery receipts and arrival notices through each phase of production indicating the movement of all materials, components, sub-components, sub-assemblies, cells, and modules through the finished product exported to the United States.

Cotton products:

- Provide sufficient documentation to show the entire supply chain, from the origin of the cotton at the bale level to the final production of the finished product (i.e., harvesting (cultivation/extraction), purification, finishing, conversion into final product).

Page 4

UFLPA Attachment to the Notice of Detention

- Provide a flow chart of the production process and maps of the region where the production processes occur. Number each step along the production process and number any additional supporting documents associated with each step of the process.
- Identify all the parties involved in each step of the production process.
- Provide a list of suppliers associated with each step of the production process, including names and contact information (addresses, email addresses, and phone number).

Polysilicon products:

- Importer needs to provide documentation produced in the ordinary course of business, including complete records of transactions and supply chain documentation that demonstrate all entities involved in the manufacture, manipulation, or export of a particular good, and the country of origin of each material used in the production of the products back to the suspected source of forced labor.
- Provide a flow chart mapping the production process of each step in the procurement and production of all materials and identify the region where each material in the production originated (i.e., location of the quartzite used to make polysilicon and the location of manufacturing facilities where polysilicon is converted from ingots/wafters to solar cells and solar modules and/or the supplier and location where metallurgical grade silica was purchased).

Polyvinyl chloride (PVC) products:

- Provide sufficient documentation to show the entire supply chain, from the origin of the Chlorine, Carbon, and Ethylene to the final production of the polyvinyl chloride (PVC).
- Provide a flow chart of the production process and maps of the region where the production processes occur with all layers of PVC flooring including but not limited to PVC resins and calcium carbonate. Number each step along the production process and provide manufacturing records where the layers are laminated together under heat and pressure.

Steel products

- Provide flowchart(s) of all manufacturing steps and distinguish what company performs each step (if more than one company is involved in the production of the steel product).
- Provide certificate(s) of origin or manufacturer's affidavit attesting to the origin of each material used to produce the steel products from the raw materials through finished products. Manufacturer's affidavits should provide the name of the entity and specific location where each material is mined, sinister, blast furnace, basic oxygen furnace (BOF) or Electric Arc Furnace (EAF,) refined, continuous cast into semi-finished products, reheated and hot rolled, then produced into long products (rods/bars, sections) and flat products (plate, hot rolled coils, welded tubes, and light gage products.
- Provide raw materials invoices; purchase orders and proof of payment; production records; and export documents and information.
- Provide details on the manufacturing processes.
- Provide the location where the iron was further manufactured into semi-finished, steel, and/or stainless steel.
- Provide bills of lading and/or other documents tracing the movement of the inputs through export to the United States.

UFLPA Attachment to the Notice of Detention

- Provide a flow chart of the production process and maps of the region where the production processes occur. Number each step along the production process and number any additional supporting documents associated with each step of the process.
- Identify all the parties involved in each step of the production process.
- Provide a list of suppliers associated with each step of the production process, including names and contact information (addresses, email addresses, and phone number).

Polysilicon products:

- Importer needs to provide documentation produced in the ordinary course of business, including complete records of transactions and supply chain documentation that demonstrate all entities involved in the manufacture, manipulation, or export of a particular good, and the country of origin of each material used in the production of the products back to the suspected source of forced labor.
- Provide a flow chart mapping the production process of each step in the procurement and production of all materials and identify the region where each material in the production originated (i.e., location of the quartzite used to make polysilicon and the location of manufacturing facilities where polysilicon is converted from ingots/wafters to solar cells and solar modules and/or the supplier and location where metallurgical grade silica was purchased).

Polyvinyl chloride (PVC) products:

- Provide sufficient documentation to show the entire supply chain, from the origin of the Chlorine, Carbon, and Ethylene to the final production of the polyvinyl chloride (PVC).
- Provide a flow chart of the production process and maps of the region where the production processes occur with all layers of PVC flooring including but not limited to PVC resins and calcium carbonate. Number each step along the production process and provide manufacturing records where the layers are laminated together under heat and pressure.

Steel products

- Provide flowchart(s) of all manufacturing steps and distinguish what company performs each step (if more than one company is involved in the production of the steel product).
- Provide certificate(s) of origin or manufacturer's affidavit attesting to the origin of each material used to produce the steel products from the raw materials through finished products. Manufacturer's affidavits should provide the name of the entity and specific location where each material is mined, sinister, blast furnace, basic oxygen furnace (BOF) or Electric Arc Furnace (EAF,) refined, continuous cast into semi-finished products, reheated and hot rolled, then produced into long products (rods/bars, sections) and flat products (plate, hot rolled coils, welded tubes, and light gage products.
- Provide raw materials invoices; purchase orders and proof of payment; production records; and export documents and information.
- Provide details on the manufacturing processes.
- Provide the location where the iron was further manufactured into semi-finished, steel, and/or stainless steel.
- Provide bills of lading and/or other documents tracing the movement of the inputs through export to the United States.

Page 5

64

UFLPA Attachment to the Notice of Detention

Tires for automobiles and trucks

- Provide sufficient documentation to show the entire supply chain, from the origin of the rubber (synthetic or natural) to the final production of the finished product (i.e., rubber mixing, manufacturing of components, extrusion and cooling leading to the conversion into final product). This would include documents such as purchase orders, invoices shipping records, proof of payment for the raw materials.
- Provide a flow chart(s) of the manufacturing/production process and maps of the region where the production processes occur, and which company performs each step in the production of the tires.
- Enumerate each step along the production process and correlate any additional supporting documents associated with each step of the process.
- Identify all the parties involved in each step of the production process.
- Provide a list of suppliers associated with each step of the production process, including names and contact information (addresses, email addresses, and phone number). Provide Manufacturers Affidavits or Certifications for the textile components such as polyester, rayon, nylon as well as the Steel Mill Certificate for the Steel and Wire Spooling.
- Provide bills of lading and or other documents tracing the movement of the tires from the factory to the US.

Tomato products:

- Provide supply chain traceability documents demonstrating the point of origin of the tomato seeds, tomatoes, or tomato products.
- Affidavit from the tomato processing facility that identifies both the parent company and the estate that sourced the tomato seeds and or tomatoes.
- Purchase orders, invoices, and proof of payment for the tomato seeds, tomatoes, or tomato products, from the processing facility and the estate that sourced the raw materials.
- All records for the tomato seeds, tomatoes, and/or tomato products that identify all steps in the production process, from seed to finished product, from the farm to shipping to the United States.

Page 6

UFLPA Attachment to the Notice of Detention

Tires for automobiles and trucks

- Provide sufficient documentation to show the entire supply chain, from the origin of the rubber (synthetic or natural) to the final production of the finished product (i.e., rubber mixing, manufacturing of components, extrusion and cooling leading to the conversion into final product). This would include documents such as purchase orders, invoices shipping records, proof of payment for the raw materials.
- Provide a flow chart(s) of the manufacturing/production process and maps of the region where the production processes occur, and which company performs each step in the production of the tires.
- Enumerate each step along the production process and correlate any additional supporting documents associated with each step of the process.
- Identify all the parties involved in each step of the production process.
- Provide a list of suppliers associated with each step of the production process, including names and contact information (addresses, email addresses, and phone number). Provide Manufacturers Affidavits or Certifications for the textile components such as polyester, rayon, nylon as well as the Steel Mill Certificate for the Steel and Wire Spooling.
- Provide bills of lading and or other documents tracing the movement of the tires from the factory to the US.

Tomato products:

- Provide supply chain traceability documents demonstrating the point of origin of the tomato seeds, tomatoes, or tomato products.
- Affidavit from the tomato processing facility that identifies both the parent company and the estate that sourced the tomato seeds and or tomatoes.
- Purchase orders, invoices, and proof of payment for the tomato seeds, tomatoes, or tomato products, from the processing facility and the estate that sourced the raw materials.
- All records for the tomato seeds, tomatoes, and/or tomato products that identify all steps in the production process, from seed to finished product, from the farm to shipping to the United States.

Page 6

65

Appendix H: WRO Detention Notice

This WRO detention notice is being used as an example. Its content is current as of the date of this document's publication and may be subject to change in the future.

CUSTOMS AND BORDER PROTECTION
Notice of Detention

Detention Number:_____
Port Code:_____ **Port Name:**_____
Date of Detention:_____
Entry Number:_____ **Line Number:**_____
Broker/Importer:_____
Description of Merchandise: _____

Reason for Detention:
This merchandise is subject to a Withhold Release Order (WRO) against **[products]** manufactured by **[entity name]**, signed by the Commissioner, or delegated official, on **[effective date]**, and is detained pursuant to 19 C.F.R. Section 12.42(e). The WRO pertains to **[products]**, made wholly or in part by **[entity name]**. Also, downstream products made in third countries that incorporate these inputs are subject to the WRO.

You have the following options:
1. Export the goods to any location outside the United States (under CBP supervision) pursuant to 19 C.F.R. Section 12.44(a); or
2. Contend that the goods were not produced with forced labor by submitting the documentation/proof required by 19 C.F.R. Section 12.43. This can be done at any time during the review process.
   a. Certificate of Origin signed by the foreign seller required by 19 C.F.R. Section 12.43(a), which may be submitted in electronic form, and
   b. A detailed statement from the importer, as outlined in 19 C.F.R. Section 12.43(b).
   c. Supply chain documentation to support a & b.

Guidance Concerning the Certificate of Origin:
- A standard Certificate of Origin is not acceptable. The required format for the certificate of origin is detailed in 19 C.F.R. Section 12.43(a). This paragraph includes the exact wording of the certificate that should be signed by the seller/manufacturer.
- The statement required by 19 C.F.R. Section 12.43(b) should be submitted by the importer, not the seller. The importer's statement should be sufficiently detailed and include proof that the goods were not produced, wholly or in part, with forced labor.

Requested by (Date): Documents must be submitted within 3 months of importation. It is preferred that all supporting documents are sent to CBP in a single submission, but the importer may choose to notify CBP at the time of submission if there will be additional supporting documents forthcoming. **Please submit your admissibility review request and supporting documents in the Forced Labor Portal (https://flportal.cbp.gov).**

Tests or Inquiries to be Conducted:

Additional Information/Action Requested of Importer:
The following additional information and/or documentation should also be submitted to substantiate that the imported merchandise does not originate or contain inputs or components from any entity covered by the WRO - Supply chain traceability documents pointing to the point of origin of the product(s), component(s), and/or input(s) identified in the WRO. Affidavit from the producer or manufacture of the product(s), component(s), and/or input(s) identified in the WRO. Purchase Order, Invoice, and Proof of Payment for the product(s), component(s), and/or input(s) identified in the WRO. Production steps and records for the product(s),

Shipments may be detained for up to 30 days, unless statutory authority or interagency agreement mandates that a longer period of time is required, or the importer/broker requests a longer detention period through the Area/Port Director.

附录H:WRO扣留通知

本暂扣令扣留通知仅作为示例使用。其内容截至本文件发布之日为最新，未来可能发生变化。

CUSTOMS AND BORDER PROTECTION
Notice of Detention

Detention Number:_____
Port Code:_____ **Port Name:**_____
Date of Detention:_____
Entry Number:_____ **Line Number:**_____
Broker/Importer:_____
Description of Merchandise: _____

Reason for Detention:
This merchandise is subject to a Withhold Release Order (WRO) against **[products]** manufactured by **[entity name]**, signed by the Commissioner, or delegated official, on **[effective date]**, and is detained pursuant to 19 C.F.R. Section 12.42(e). The WRO pertains to **[products]**, made wholly or in part by **[entity name]**. Also, downstream products made in third countries that incorporate these inputs are subject to the WRO.

You have the following options:
1. Export the goods to any location outside the United States (under CBP supervision) pursuant to 19 C.F.R. Section 12.44(a); or
2. Contend that the goods were not produced with forced labor by submitting the documentation/proof required by 19 C.F.R. Section 12.43. This can be done at any time during the review process.
   a. Certificate of Origin signed by the foreign seller required by 19 C.F.R. Section 12.43(a), which may be submitted in electronic form, and
   b. A detailed statement from the importer, as outlined in 19 C.F.R. Section 12.43(b).
   c. Supply chain documentation to support a & b.

Guidance Concerning the Certificate of Origin:
- A standard Certificate of Origin is not acceptable. The required format for the certificate of origin is detailed in 19 C.F.R. Section 12.43(a). This paragraph includes the exact wording of the certificate that should be signed by the seller/manufacturer.
- The statement required by 19 C.F.R. Section 12.43(b) should be submitted by the importer, not the seller. The importer's statement should be sufficiently detailed and include proof that the goods were not produced, wholly or in part, with forced labor.

Requested by (Date): Documents must be submitted within 3 months of importation. It is preferred that all supporting documents are sent to CBP in a single submission, but the importer may choose to notify CBP at the time of submission if there will be additional supporting documents forthcoming. **Please submit your admissibility review request and supporting documents in the Forced Labor Portal (https://flportal.cbp.gov).**

Tests or Inquiries to be Conducted:

Additional Information/Action Requested of Importer:
The following additional information and/or documentation should also be submitted to substantiate that the imported merchandise does not originate or contain inputs or components from any entity covered by the WRO - Supply chain traceability documents pointing to the point of origin of the product(s), component(s), and/or input(s) identified in the WRO. Affidavit from the producer or manufacture of the product(s), component(s), and/or input(s) identified in the WRO. Purchase Order, Invoice, and Proof of Payment for the product(s), component(s), and/or input(s) identified in the WRO. Production steps and records for the product(s),

Shipments may be detained for up to 30 days, unless statutory authority or interagency agreement mandates that a longer period of time is required, or the importer/broker requests a longer detention period through the Area/Port Director.

CUSTOMS AND BORDER PROTECTION
Notice of Detention

supply chain where forced labor is suspected through the manufacture or production of the good(s) exported to the United States.

Name of Detaining Officer: _____

CBP Point of Contact: _____

CBP Point of Contact Phone Number: _____

Date of Conditional Release: N/A

Location of Goods: N/A

Additional Remarks:

Shipments may be detained for up to 30 days, unless statutory authority or interagency agreement mandates that a longer period of time is required, or the importer/broker requests a longer detention period through the Area/Port Director.

CUSTOMS AND BORDER PROTECTION
Notice of Detention

supply chain where forced labor is suspected through the manufacture or production of the good(s) exported to the United States.

Name of Detaining Officer: _____

CBP Point of Contact: _____

CBP Point of Contact Phone Number: _____

Date of Conditional Release: N/A

Location of Goods: N/A

Additional Remarks:

Shipments may be detained for up to 30 days, unless statutory authority or interagency agreement mandates that a longer period of time is required, or the importer/broker requests a longer detention period through the Area/Port Director.

Appendix I: UFLPA Exclusion Notice

This UFLPA exclusion notice is being used as an example. Its content is current as of the date of this document's publication and may be subject to change in the future.

U.S. Customs and Border Protection

[Port Address Line 1]
[Port City, State, Zip]

Date:

[Importer Name]
[Importer Address Line 1]
[Importer City, State, Zip]

Dear [Insert Importer Name],

You are hereby advised that the below listed entry is subject to the Uyghur Forced Labor Prevention Act (UFLPA, Pub. L. 117-78) and is excluded from entry into the United States.

Article(s) Excluded:
Quantity:
Vessel/Trip:
Bill of Lading:
Entry Number (if any):
Entry Line Number (if other than entire shipment):
Date of Exclusion:

Based on a review of the entry or documents submitted:

☐ This merchandise has been identified as having been produced (in whole or in part) or having input(s) from the Xinjiang Uyghur Autonomous Region (XUAR) or by an entity on the UFLPA Entity List; therefore, it is presumed to be prohibited under 19 U.S.C. 1307 and not entitled to entry. Accordingly, this shipment is excluded from entry.

OR

☐ This merchandise is excluded because the importer failed to request an exception or failed to provide evidence to demonstrate the merchandise was not produced in whole or in part in the Xinjiang Uyghur Autonomous Region (XUAR) or by an entity on the UFLPA Entity List **within 30 days (or specific deadline date (if an extension was granted))** from which the cargo was detained.

附录I:UFLPA排除通知

本UFLPA排除通知仅作为示例使用。其内容截至本文件发布之日为最新，未来可能发生变化。

U.S. Customs and Border Protection

[Port Address Line 1]
[Port City, State, Zip]

Date:

[Importer Name]
[Importer Address Line 1]
[Importer City, State, Zip]

Dear [Insert Importer Name],

You are hereby advised that the below listed entry is subject to the Uyghur Forced Labor Prevention Act (UFLPA, Pub. L. 117-78) and is excluded from entry into the United States.

Article(s) Excluded:
Quantity:
Vessel/Trip:
Bill of Lading:
Entry Number (if any):
Entry Line Number (if other than entire shipment):
Date of Exclusion:

Based on a review of the entry or documents submitted:

☐ This merchandise has been identified as having been produced (in whole or in part) or having input(s) from the Xinjiang Uyghur Autonomous Region (XUAR) or by an entity on the UFLPA Entity List; therefore, it is presumed to be prohibited under 19 U.S.C. 1307 and not entitled to entry. Accordingly, this shipment is excluded from entry.

OR

☐ This merchandise is excluded because the importer failed to request an exception or failed to provide evidence to demonstrate the merchandise was not produced in whole or in part in the Xinjiang Uyghur Autonomous Region (XUAR) or by an entity on the UFLPA Entity List **within 30 days (or specific deadline date (if an extension was granted))** from which the cargo was detained.

OR

☐ Insufficient evidence was provided to demonstrate that the merchandise was not produced in whole or in part in the XUAR or by an entity on the UFLPA Entity List.

OR

☐ CBP found insufficient evidence to grant an exception pursuant to Section 3(b) of the UFLPA.

Additional Information:

You may export the subject merchandise from the United States under CBP supervision in accordance with 19 C.F.R.§§ 18.25 –18.27. If the merchandise is not exported timely, it will be disposed of in accordance with CBP policies and procedures or you may protest the exclusion of this shipment pursuant to 19 U.S.C. § 1514.

You are hereby notified that any future attempt to import such articles may result in seizure and forfeiture.

Should you have any questions regarding this matter please contact:

[Name of the Title of CBP Employee], at [Phone/Email

Address of CBP Employee].

Sincerely,

Port Director, U.S. Customs and Border Protection

UFLPA Notice of Exclusion Continuation Sheet Attached? ☐ Yes ☐ No

OR

☐ Insufficient evidence was provided to demonstrate that the merchandise was not produced in whole or in part in the XUAR or by an entity on the UFLPA Entity List.

OR

☐ CBP found insufficient evidence to grant an exception pursuant to Section 3(b) of the UFLPA.

Additional Information:

You may export the subject merchandise from the United States under CBP supervision in accordance with 19 C.F.R.§§ 18.25 –18.27. If the merchandise is not exported timely, it will be disposed of in accordance with CBP policies and procedures or you may protest the exclusion of this shipment pursuant to 19 U.S.C. § 1514.

You are hereby notified that any future attempt to import such articles may result in seizure and forfeiture.

Should you have any questions regarding this matter please contact:

[Name of the Title of CBP Employee], at [Phone/Email

Address of CBP Employee].

Sincerely,

Port Director, U.S. Customs and Border Protection

UFLPA Notice of Exclusion Continuation Sheet Attached? ☐ Yes ☐ No

Appendix J: CAATSA Exclusion Notice

This CAATSA exclusion notice is being used as an example. Its content is current as of the date of this document's publication and may be subject to change in the future.

[Port Address Line 1]
[Port City, State, Zip]

U.S. Customs and Border Protection

Date:

[Importer Name]
[Importer Address Line 1]
[Importer City, State, Zip]

Dear [Insert Importer Name],

You are hereby advised that the below listed entry is subject to the Countering America's Adversaries Through Sanctions Acts (CAATSA) under 22 U.S.C. Section 9241a(a) (Public Law 115-44) and is excluded from entry into the United States. You may export, destroy, or file a protest to contest CBP's decision to exclude this shipment within 180 days of date of exclusion.

Article(s) Excluded:
Quantity:
Vessel/Trip:
Bill of Lading:
Entry Number (if any):
Entry Line Number (if other than entire shipment):
Date of Exclusion:

This merchandise has been identified as mined, produced, or manufactured, in whole or in part, by North Korean nationals or North Korean citizens; therefore, this shipment is presumed to have been made with forced labor under the CAATSA and excluded from entry. You may export the subject merchandise from the United States under CBP supervision in accordance with 19 C.F.R. § 18.25 - 18.27. If the merchandise is not exported timely, it will be disposed of in accordance with CBP policies and procedures.

You may also protest the exclusion of this shipment pursuant to 19 U.S.C. 1514(a) and consistent with 22 U.S.C. § 9241a(b) submit information demonstrating by clear and convincing evidence that the goods are not made with convict labor, forced labor, or indentured labor under penal sanctions, or demonstrate that the merchandise was not produced, in whole or in part, by North Korean nationals or North Korean citizens and therefore is not subject to CAATSA.

附录J:CAATSA排除通知

本CAATSA排除通知仅作为示例使用。其内容截至本文件发布之日为最新，未来可能发生变化。

[Port Address Line 1]
[Port City, State, Zip]

U.S. Customs and Border Protection

Date:

[Importer Name]
[Importer Address Line 1]
[Importer City, State, Zip]

Dear [Insert Importer Name],

You are hereby advised that the below listed entry is subject to the Countering America's Adversaries Through Sanctions Acts (CAATSA) under 22 U.S.C. Section 9241a(a) (Public Law 115-44) and is excluded from entry into the United States. You may export, destroy, or file a protest to contest CBP's decision to exclude this shipment within 180 days of date of exclusion.

Article(s) Excluded:
Quantity:
Vessel/Trip:
Bill of Lading:
Entry Number (if any):
Entry Line Number (if other than entire shipment):
Date of Exclusion:

This merchandise has been identified as mined, produced, or manufactured, in whole or in part, by North Korean nationals or North Korean citizens; therefore, this shipment is presumed to have been made with forced labor under the CAATSA and excluded from entry. You may export the subject merchandise from the United States under CBP supervision in accordance with 19 C.F.R. § 18.25 - 18.27. If the merchandise is not exported timely, it will be disposed of in accordance with CBP policies and procedures.

You may also protest the exclusion of this shipment pursuant to 19 U.S.C. 1514(a) and consistent with 22 U.S.C. § 9241a(b) submit information demonstrating by clear and convincing evidence that the goods are not made with convict labor, forced labor, or indentured labor under penal sanctions, or demonstrate that the merchandise was not produced, in whole or in part, by North Korean nationals or North Korean citizens and therefore is not subject to CAATSA.

You are hereby notified that any future attempt to import such articles may result in seizure and forfeiture.

Should you have any questions regarding this matter please contact:

[Name of the Title of CBP Employee]

[Phone/Address of CBP Employee]

Sincerely,

Port Director, U.S. Customs and Border Protection

You are hereby notified that any future attempt to import such articles may result in seizure and forfeiture.

Should you have any questions regarding this matter please contact:

[Name of the Title of CBP Employee]

[Phone/Address of CBP Employee]

Sincerely,

Port Director, U.S. Customs and Border Protection

Appendix K: WRO Exclusion Notice

This WRO exclusion notice is being used as an example. Its content is current as of the date of this document's publication and may be subject to change in the future.

1300 Pennsylvania Avenue, NW
Washington, DC 20229

U.S. Customs and Border Protection

[IMPORTER NAME COMPANY NAME ADDRESS LINE 1]
[ADDRESS LINE 2]
CITY, STATE ZIP CODE

Dear [Importer Name]:

This notification is being sent pursuant to 19 CFR § 12.44(a) to advise that U.S. Customs and Border Protection, [PORT NAME], has determined that the below listed merchandise is under the purview of 19 U.S.C. 1307 resulting in a decision to exclude the shipment from entry into the United States.

Article Denied Entry: DESCRIPTION OF MERCHANDISE
Quantity:
Vessel:
Bill of Lading:
Entry Number (if any):
Date of Denial of Entry:
[Narrative detailing what information led CBP to reach the decision to exclude the merchandise]

You have 60 days from the date of this letter to export the subject merchandise from the United States under CBP supervision in accordance with 19 C.F.R. § 18.25 – 18.27. If the merchandise is not exported within 60 days, it will be disposed of under CBP supervision.

You are hereby notified that any future attempt to import such articles may result in the articles being seized and forfeited.

Thank you for your continued cooperation. If we may offer further guidance, please contact [NAME], [TITLE OF CBP EMPLOYEE], at [PHONE AND EMAIL CONTACT INFO].

Sincerely,

[NAME]
Port Director
U.S. Customs and Border Protection

附录K:WRO排除通知

本WRO排除通知仅作为示例使用。其内容截至本文件发布之日为最新，未来可能发生变化。

1300 Pennsylvania Avenue, NW
Washington, DC 20229

U.S. Customs and Border Protection

[IMPORTER NAME COMPANY NAME ADDRESS LINE 1]
[ADDRESS LINE 2]
CITY, STATE ZIP CODE

Dear [Importer Name]:

This notification is being sent pursuant to 19 CFR § 12.44(a) to advise that U.S. Customs and Border Protection, [PORT NAME], has determined that the below listed merchandise is under the purview of 19 U.S.C. 1307 resulting in a decision to exclude the shipment from entry into the United States.

Article Denied Entry: DESCRIPTION OF MERCHANDISE
Quantity:
Vessel:
Bill of Lading:
Entry Number (if any):
Date of Denial of Entry:
[Narrative detailing what information led CBP to reach the decision to exclude the merchandise]

You have 60 days from the date of this letter to export the subject merchandise from the United States under CBP supervision in accordance with 19 C.F.R. § 18.25 – 18.27. If the merchandise is not exported within 60 days, it will be disposed of under CBP supervision.

You are hereby notified that any future attempt to import such articles may result in the articles being seized and forfeited.

Thank you for your continued cooperation. If we may offer further guidance, please contact [NAME], [TITLE OF CBP EMPLOYEE], at [PHONE AND EMAIL CONTACT INFO].

Sincerely,

[NAME]
Port Director
U.S. Customs and Border Protection

Appendix L: Notice of Redelivery

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

NOTICE TO MARK AND/OR NOTICE TO REDELIVER
19 CFR 134.51, 134.52, 141.113

SECTION I *(To be Completed by CBP)*

FROM (Importer of Record Name and Address)	NAME OF CONTACT PERSON (Last, First, M.I.) TELEPHONE NUMBER
TO (Importer of Record Name and Address)	ENTRY DATA PORT OF ENTRY / ENTRY NO. DATE OF ENTRY / BROKER OR IMPORTER FILE NO.

The merchandise described below is in violation of statute(s)/regulation(s) as indicated, and cannot be entered into the commerce of the United States until brought into conformity as noted below in Section II. If it is not brought into conformity, redelivered, exported, or destroyed under U.S. Customs and Border Protection supervision within 30 days from the date of this Notice or the time specified by another government agency having jurisdiction over the importation, **liquidated damages and or criminal/civil penalties shall apply**.

STATUTE(S)/REGULATION(S) VIOLATED
- ☐ 19. U.S.C. 1304 (Section 304, Tariff Act of 1930) (Country of Origin Marking Violation)
- ☐ OTHER NAMELY:

DESCRIPTION OF MERCHANDISE	QUANTITY	IDENTIFYING MARKS AND NUMBERS	SHIPPER/MANUFACTURER

SECTION II *(To be Completed by CBP)*

ACTION REQUIRED OF IMPORTER
- ☐ Merchandise must be brought into compliance as specified below or returned to CBP custody within 30 days of this Notice or other time specified.
- ☐ Marking or other corrective action must be done under CBP supervision.
- ☐ CBP supervision of marking or other corrective action not required. After all merchandise has been brought into conformity with cited statue (s)/regulation(s), complete the certification below and return copy to CBP ☐ with ☐ without a sample.

WARNING: All merchandise must be retained until you are notified by CBP that corrective action is acceptable.
- ☐ Merchandise must be redelivered to CBP within 30 days from the date of this Notice or other time specified.

REMARKS/INSTRUCTIONS/OTHER ACTION REQUIRED OF IMPORTER

NAME OF CBP OFFICER (Last, First, M.I.) | SIGNATURE OF CBP OFFICER | DATE

SECTION III - IMPORTER CERTIFICATION *(To be completed by Importer/Authorized Agent)*

IMPORTER: Appropriate items must be completed, signed, and dated before acceptance by CBP.

MERCHANDISE TO BE ☐ EXPORTED ☐ DESTROYED UNDER CBP SUPERVISION IN LIEU OF MARKING OR OTHER REQUIRED CORRECTIVE MEASURES.

PLACE | DATE | TIME ☐ AM ☐ PM

I (WE) GUARANTEE THE PAYMENT OF ALL EXPENSES INCIDENT TO THE ABOVE ACTION.

☐ I CERTIFY THAT ALL MERCHANDISE HAS BEEN MARKED TO INDICATE THE COUNTRY OF ORIGIN AS REQUIRED BY 19 U.S.C. 1304, OR OTHERWISE BROUGHT INTO COMPLIANCE WITH CITED STATUTE(S) OR REGULATION(S). SAMPLE ☐ IS ☐ IS NOT SUBMITTED HEREIN.

MERCHANDISE AND ORIGINAL CONTAINERS BEING HELD INTACT AND AVAILABLE FOR CBP INSPECTION AT: (INDICATE PLACE AND PHONE NUMBER).

IMPORTER OR AUTHORIZED AGENT NAME (Last, First, M.I.) | TITLE | TELEPHONE

SIGNATURE OF IMPORTER OR AUTHORIZED AGENT | DATE

CBP Form 4647 (9/22) Page 1 of 1

附录L:退还通知

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

NOTICE TO MARK AND/OR NOTICE TO REDELIVER
19 CFR 134.51, 134.52, 141.113

SECTION I *(To be Completed by CBP)*

FROM (Importer of Record Name and Address)	NAME OF CONTACT PERSON (Last, First, M.I.) TELEPHONE NUMBER
TO (Importer of Record Name and Address)	ENTRY DATA PORT OF ENTRY / ENTRY NO. DATE OF ENTRY / BROKER OR IMPORTER FILE NO.

The merchandise described below is in violation of statute(s)/regulation(s) as indicated, and cannot be entered into the commerce of the United States until brought into conformity as noted below in Section II. If it is not brought into conformity, redelivered, exported, or destroyed under U.S. Customs and Border Protection supervision within 30 days from the date of this Notice or the time specified by another government agency having jurisdiction over the importation, **liquidated damages and or criminal/civil penalties shall apply**.

STATUTE(S)/REGULATION(S) VIOLATED
- ☐ 19. U.S.C. 1304 (Section 304, Tariff Act of 1930) (Country of Origin Marking Violation)
- ☐ OTHER NAMELY:

DESCRIPTION OF MERCHANDISE	QUANTITY	IDENTIFYING MARKS AND NUMBERS	SHIPPER/MANUFACTURER

SECTION II *(To be Completed by CBP)*

ACTION REQUIRED OF IMPORTER
- ☐ Merchandise must be brought into compliance as specified below or returned to CBP custody within 30 days of this Notice or other time specified.
- ☐ Marking or other corrective action must be done under CBP supervision.
- ☐ CBP supervision of marking or other corrective action not required. After all merchandise has been brought into conformity with cited statue (s)/regulation(s), complete the certification below and return copy to CBP ☐ with ☐ without a sample.

WARNING: All merchandise must be retained until you are notified by CBP that corrective action is acceptable.
- ☐ Merchandise must be redelivered to CBP within 30 days from the date of this Notice or other time specified.

REMARKS/INSTRUCTIONS/OTHER ACTION REQUIRED OF IMPORTER

NAME OF CBP OFFICER (Last, First, M.I.) | SIGNATURE OF CBP OFFICER | DATE

SECTION III - IMPORTER CERTIFICATION *(To be completed by Importer/Authorized Agent)*

IMPORTER: Appropriate items must be completed, signed, and dated before acceptance by CBP.

MERCHANDISE TO BE ☐ EXPORTED ☐ DESTROYED UNDER CBP SUPERVISION IN LIEU OF MARKING OR OTHER REQUIRED CORRECTIVE MEASURES.

PLACE | DATE | TIME ☐ AM ☐ PM

I (WE) GUARANTEE THE PAYMENT OF ALL EXPENSES INCIDENT TO THE ABOVE ACTION.

☐ I CERTIFY THAT ALL MERCHANDISE HAS BEEN MARKED TO INDICATE THE COUNTRY OF ORIGIN AS REQUIRED BY 19 U.S.C. 1304, OR OTHERWISE BROUGHT INTO COMPLIANCE WITH CITED STATUTE(S) OR REGULATION(S). SAMPLE ☐ IS ☐ IS NOT SUBMITTED HEREIN.

MERCHANDISE AND ORIGINAL CONTAINERS BEING HELD INTACT AND AVAILABLE FOR CBP INSPECTION AT: (INDICATE PLACE AND PHONE NUMBER).

IMPORTER OR AUTHORIZED AGENT NAME (Last, First, M.I.) | TITLE | TELEPHONE

SIGNATURE OF IMPORTER OR AUTHORIZED AGENT | DATE

CBP Form 4647 (9/22) Page 1 of 1

SECTION IV *(To be Completed by CBP)*

☐ MERCHANDISE EXCEPTED FROM MARKING UNDER _____.

☐ MERCHANDISE HAS BEEN LEGALLY MARKED OR OTHERWISE BROUGHT INTO CONFORMITY WITH CITED STATUTE(S)/REGULATION(S):
☐ UNDER CBP SUPERVISION ☐ CERTIFICATION ACCEPTED.

☐ MERCHANDISE WAS ☐ EXPORTED ☐ DESTROYED UNDER CBP SUPERVISION ☐ OTHER, NAMELY: _____

CBP OFFICER NAME (Last, First, M.I.)

SIGNATURE OF CBP OFFICER

DATE

SECTION IV *(To be Completed by CBP)*

☐ MERCHANDISE EXCEPTED FROM MARKING UNDER _____.

☐ MERCHANDISE HAS BEEN LEGALLY MARKED OR OTHERWISE BROUGHT INTO CONFORMITY WITH CITED STATUTE(S)/REGULATION(S):
☐ UNDER CBP SUPERVISION ☐ CERTIFICATION ACCEPTED.

☐ MERCHANDISE WAS ☐ EXPORTED ☐ DESTROYED UNDER CBP SUPERVISION ☐ OTHER, NAMELY: _____

CBP OFFICER NAME (Last, First, M.I.)

SIGNATURE OF CBP OFFICER

DATE

CBP Form 4647 (9/22) Instructions Page 2 of 2
74

INSTRUCTIONS

This form is notification that the imported merchandise is not in conformity with statutory or regulatory requirements and must be marked, labeled, or otherwise brought into conformity with the applicable requirements within 30 days of this Notice. The form also serves as a redelivery notice and requires redelivery to CBP custody within the specified time.

The following instructions are provided to assist importers in fulfilling the statutory and regulatory obligations.

- Sections I and II: COMPLETED BY U.S. CUSTOMS AND BORDER PROTECTION
- Section III: COMPLETED BY IMPORTER OF RECORD OR AUTHORIZED AGENT
- Retain control of all merchandise described on the CBP Form 4647. The merchandise must be held intact; it cannot be moved or distributed until authorized by CBP.
- Marking and/or additional instructions are provided in Section II.
- Upon completion of marking, complete the appropriate item(s). **SIGNATURE MUST BE THAT OF THE IMPORTER OR AUTHORIZED AGENT.**
- Identify the location where the merchandise will be available for CBP verification and provide a contact telephone number.
- Upon completion of Section III, submit the "Return to CBP" copy of the form with a sample, if requested, to the office specified in Section I of this form. **NOTE**: Appropriate items must be completed, signed, and dated before acceptance by CBP.
- Section IV: COMPLETED BY U.S. CUSTOMS AND BORDER PROTECTION

Upon return of the CBP Form 4647, CBP will review the form to ensure that Section III has been completed, signed, and dated by the Importer of Record or Authorized Agent, and take one of the following actions:

- A CBP Officer will visit your premises to verify your certification of marking and to notify you whether or not it is acceptable.
- Notify you (in writing) that (a) the marking or corrective action is acceptable and the merchandise is officially released by CBP; or (b) the marking or corrective action is not acceptable and that the merchandise must be redelivered to CBP custody within the prescribed time.

If you have any questions or find that the marking procedure or other corrective action requires more than 30 days, contact the office indicated in Section I.

INSTRUCTIONS

This form is notification that the imported merchandise is not in conformity with statutory or regulatory requirements and must be marked, labeled, or otherwise brought into conformity with the applicable requirements within 30 days of this Notice. The form also serves as a redelivery notice and requires redelivery to CBP custody within the specified time.

The following instructions are provided to assist importers in fulfilling the statutory and regulatory obligations.

- Sections I and II: COMPLETED BY U.S. CUSTOMS AND BORDER PROTECTION
- Section III: COMPLETED BY IMPORTER OF RECORD OR AUTHORIZED AGENT
- Retain control of all merchandise described on the CBP Form 4647. The merchandise must be held intact; it cannot be moved or distributed until authorized by CBP.
- Marking and/or additional instructions are provided in Section II.
- Upon completion of marking, complete the appropriate item(s). **SIGNATURE MUST BE THAT OF THE IMPORTER OR AUTHORIZED AGENT.**
- Identify the location where the merchandise will be available for CBP verification and provide a contact telephone number.
- Upon completion of Section III, submit the "Return to CBP" copy of the form with a sample, if requested, to the office specified in Section I of this form. **NOTE**: Appropriate items must be completed, signed, and dated before acceptance by CBP.
- Section IV: COMPLETED BY U.S. CUSTOMS AND BORDER PROTECTION

Upon return of the CBP Form 4647, CBP will review the form to ensure that Section III has been completed, signed, and dated by the Importer of Record or Authorized Agent, and take one of the following actions:

- A CBP Officer will visit your premises to verify your certification of marking and to notify you whether or not it is acceptable.
- Notify you (in writing) that (a) the marking or corrective action is acceptable and the merchandise is officially released by CBP; or (b) the marking or corrective action is not acceptable and that the merchandise must be redelivered to CBP custody within the prescribed time.

If you have any questions or find that the marking procedure or other corrective action requires more than 30 days, contact the office indicated in Section I.

CBP Form 4647 (6/19) Instruction Page 1 of 1

75

Appendix M: Certificate of Origin

Certificate of Origin

I, _____, foreign seller or owner of the merchandise hereinafter described, certify that such merchandise, consisting of _____ (Quantity) of _____ (Description) in _____ (Number and kind of packages) bearing the following marks and numbers _____ was mined, produced, or manufactured by _____ (Name) at or near _____, and was laden on board _____ (Carrier to the United States) at _____ (Place of lading) (Place of final departure from country of exportation) which departed from on _____; (Date); and that _____ (Class of labor specified in finding) was not employed in any stage of the mining, production, or manufacture of the merchandise or of any component thereof.
Dated _____

(Signature)

附录M:原产地证书

Certificate of Origin

I, _____, foreign seller or owner of the merchandise hereinafter described, certify that such merchandise, consisting of _____ (Quantity) of _____ (Description) in _____ (Number and kind of packages) bearing the following marks and numbers _____ was mined, produced, or manufactured by _____ (Name) at or near _____, and was laden on board _____ (Carrier to the United States) at _____ (Place of lading) (Place of final departure from country of exportation) which departed from on _____; (Date); and that _____ (Class of labor specified in finding) was not employed in any stage of the mining, production, or manufacture of the merchandise or of any component thereof.
Dated _____

(Signature)

Appendix N: Centers of Excellence and Expertise (Centers)

The Centers within CBP are specialized divisions that focus on specific industries to streamline trade processes, enforce customs regulations, and facilitate legitimate trade. Each Center is aligned with Harmonized Tariff Schedule (HTS) numbers based on the industries they oversee. Below is a general guide to the industries and HTS numbers associated with each Center:

Center	Primary HTS Numbers	Examples
Agriculture and Prepared Products	1-24	Agriculture, aquaculture, animal products, vegetable products, prepared foods, beverages, alcohol, and tobacco
Apparel, Footwear and Textiles	50-65	Wearing apparel, footwear, and textile mill products such as beddings and fabrics
Automotive and Aerospace	86-87	Automotive, aerospace, or other transportation equipment and related parts
Base Metals	72-81	Steel, steel mill products, ferrous and nonferrous metal, and aluminum
Consumer Products and Mass Merchandising	49, 66, 67, 91, 92, 94-97	Household goods, consumer products, or similar industries and mass merchandisers of products typically sold for home use
Electronics	Part of 84, 85	Solar products, information technology, integrated circuits, automated data processing equipment, and consumer electronics

附录N:卓越中心与专业中心(中心)

CBP内部的各中心是专门负责特定行业的专业化部门，旨在简化贸易流程、执行海关法规并促进合法贸易。每个中心根据其所监管的行业对应相应的协调关税表(HTS)编号。以下为各中心所涉行业及对应HTS编号的一般性指引：

	HTS	
	1-24	
	50-65	作为床上用品和织物
	86-87	
	72-81	
	49, 66, 67, 91, 92, 94-97	
	第84、85类的一部分	技术、集成电路、自动数据处理设备及消费电子产品

Center	Primary HTS Numbers	Examples
Industrial and Manufacturing Materials	25, 39-48, 68-71	Plastics, polymers, rubber, leather, wood, paper, stone, glass, precious stones, and precious metals
Machinery	82, Part of 84	Tools, machine tools, production equipment, and instruments
Petroleum, Natural Gas and Minerals	26-27	Petroleum, natural gas, petroleum related products, minerals, and mining industries
Pharmaceuticals, Health and Chemicals	28-38	Pharmaceuticals, health-related equipment, and products of the chemical and allied industries

For precise HTS classifications and Center assignments, users can consult the following official CBP resources:

1. **Harmonized Tariff Schedule (HTS) Search Tool**
   Accessible via the U.S. International Trade Commission (USITC) website, this tool allows users to search for HTS codes and their descriptions.
2. **CBP Center Webpage**
   Provides detailed information about each Center, including their industry focus and contact details.
3. **ACE (Automated Commercial Environment)**
   CBP's trade processing system, which includes tools for HTS classification and Center assignment.
4. **Customs Rulings Online Search System (CROSS)**
   A searchable database of CBP rulings that can help clarify HTS classifications and Center applicability.

These resources can provide authoritative and up-to-date information for trade compliance and HTS classification.

	HTS	
	25, 39-48, 68-71	贵金属
	82,84的一部分	生产设备，以及
	26-27	矿产与采矿
	28-38	

如需准确的HTS归类及中心分配信息，用户可查阅以下CBP官方资源：

1. 协调关税表(HTS)查询工具可通过美国国际贸易委员会(USITC)网站访问，该工具允许用户查询HTS编码及其描述。
2. CBP中心网页提供各中心的详细信息，包括其行业重点及联系方式。
3. ACE(自动化商业环境) CBP的贸易处理系统，包含用于HTS归类及中心分配的工具。
4. 海关裁定在线查询系统(CROSS)可检索的CBP裁定数据库，有助于明确HTS归类及中心适用性。

上述资源可为贸易合规及HTS归类提供权威且最新的信息。

How this file was made

This is a complete Chinese translation of CBP's Forced Labor Enforcement Operational Guidance for Importers. Tables, captions, headers, footers and numbering all keep their original positions. Nothing has been cut.

If you have documents of your own

- Contracts, tenders, standards, patents, reports: original layout kept, CNY 0.15/page
- PDF to Word: free up to 100 pages, CNY 0.10/page beyond that
- Scanned or image-only PDFs: OCR to Word, free
- No sign-up, no login: upload and download

Open the address below and try it with your own file:

https://www.ivyivy.com.cn/

Machine translation, provided for reading reference only. For professional judgement and compliance citation, please refer to the original English source.

This page is a translator's note; it is not part of the original document.

这份文件是怎么做出来的

本译本是CBP《强迫劳动执法操作指南：进口商指引》的中文全译本，共 79 页。表格、图注、页眉页脚、编号层级都按原文位置一一还原，未做任何删节。

你手上如果也有英文文件要处理

- 合同、标书、标准、专利、报告：翻译后保留原版式，0.15 元/页
- PDF 转 Word：100 页内免费，超出 0.1 元/页
- 扫描件、图片版 PDF：先 OCR 再转 Word，免费
- 不用注册、不用登录，传上去直接下载

打开下面这个地址，把你自己的文件传上去试试：

https://www.ivyivy.com.cn/

扫码关注服务号
咨询定制交付

本译本由机器翻译生成，仅供阅读参考；专业技术判断与合规引用，请以英文原文为准。

本页为译制说明，不属于原文件内容。