

GOVERNMENT

## Trade groups respond to US ban on Xinjiang cotton

January 14, 2021



Customs will now detain cotton and tomato products from Xinjiang. Image credit: Kering

By LUXURY DAILY NEWS SERVICE

Fashion and retail trade associations are showing support for a new order from the [United States Customs and Border Protection](#) (CBP) to withhold cotton products and tomato products produced in China's Xinjiang Uyghur Autonomous Region (XUAR) at all U.S. ports of entry.

Subscribe to **Luxury Daily**  
Plus: Just released  
State of Luxury 2019 **Save \$246 ▶**

Effective on Jan. 13, CBP issued the Withhold Release Order (WRO) based on information indicating the use of detainee or prison labor and situations of forced labor. Through the course of its investigation, the agency identified the following forced labor indicators: debt bondage, restriction of movement, isolation, intimidation and threats, withholding of wages and abusive living and working conditions.

"DHS will not tolerate forced labor of any kind in U.S. supply chains," said Ken Cuccinelli, acting deputy secretary of the [United States Department of Homeland Security](#) (DHS), in a statement. "We will continue to protect the American people and investigate credible allegations of forced labor, we will prevent goods made by forced labor from entering our country, and we demand the Chinese close their camps and stop their human rights violations."

### Stand against inhumane labor

In response to the WRO, the American Apparel and Footwear Association, National Retail Federation, Retail Industry Leaders Association and The United States Fashion Industry Association issued a joint statement expressing support for the order and a commitment to eradicating forced labor within supply chains.

"The companies we represent remain outraged by the reports of forced labor in the XUAR and reports that Uyghurs are being trafficked to other regions and have long made eradicating forced labor in our supply chains a top operational and public policy priority," the [statement](#) said. "The industry is pioneering and implementing new technologies and innovative approaches to decipher where supply chains are susceptible to forced labor, particularly as it relates to XUAR.

"We look forward to working with the U.S. Customs and Border Protection (CBP) to make sure enforcement is smart, transparent, targeted, and effective."

Federal statute 19 U.S.C. 1307 prohibits the importation of merchandise produced by convict labor, forced labor and/or indentured labor, including forced or indentured child labor. CBP detains shipments of goods suspected of being imported in violation of this statute.

The new WRO will direct CBP personnel at all U.S. ports of entry to detain cotton products and tomato products grown or produced by entities operating in Xinjiang. These products include apparel, textiles, tomato seeds, canned tomatoes, tomato sauce and other goods made with cotton and tomatoes.

Importers are responsible for ensuring the products they are attempting to import do not exploit forced labor at any point in their supply chain, including the production or harvesting of the raw material.



*U.S. Customs and Border Protection will monitor imports at all U.S. ports of entry. Image credit: Los Angeles International Airport*

In July 2020, the U.S. government issued an **advisory** to caution businesses about the financial and legal risks of forced labor in Xinjiang.

This is the fourth WRO that CBP has issued since the beginning of fiscal year 2021, and the second on products originating in Xinjiang. Eight of the 13 WROs that CBP issued in FY 2020 were on goods made by forced labor in China.

In 2019, French luxury conglomerate Kering partnered with Albin Group, Supima and Oritain to develop a more sustainable business model through 100 percent traceable organic cotton. Through this effort, the company became the first in the fashion and luxury industry to offer such transparency with cotton sourcing.

The goal was to tackle traceability of plant- and animal-based raw material, which still remains a challenge for fashion's complicated global supply chains (**see story**).