



SANDLER, TRAVIS & ROSENBERG, P.A.
International Trade, Customs & Export Law

Forced Labor Intervention and Supply Chain Visibility

U.S. law prohibits the importation of goods mined, produced, or manufactured, wholly or in part, in any foreign country by forced labor, including convict, indentured, and forced child labor. Enforcement of this prohibition is on the rise, including through issuance of Withhold Release Orders (WROs) and shipment detentions.

It is therefore no longer enough for importers to know the conditions of manufacture only to their tier one suppliers. Instead, they need to have complete supply chain transparency back to the point of extraction, growth, or original input creation. Importers should be taking affirmative steps to ensure compliance and manage risk.

ST&R has developed a three-step Forced Labor Intervention and Supply Chain Visibility program:

STOCKTAKING



Preventative Compliance: ST&R will review and update policy manuals, codes of conduct, purchase orders, contracts, audit reports and other documentation, as well as traceability, recordkeeping and compliance tools from all levels of suppliers. If applicable, we will assist in XPCC entity screening.

Internal Program Enhancement: ST&R will ensure that procedures are in place to advise all relevant personnel, corporate legal, procurement and CSR departments of the law so they may employ ongoing prevention, mitigation and record maintenance.

TESTING & TRACING



Program Resiliency: ST&R will work with the client on sample testing and will review vendor compliance procedures. We will also provide guidance and recommendations on other policies necessary to demonstrate compliance.

Communication: ST&R will communicate with CBP and assist with audits as appropriate. We track enforcement actions and will convey any developments to the client. Our communication is confidential and covered under attorney-client privilege.

RESPONSE



Compilation and Review: If a detention order is issued, ST&R will review and / or assist in the compilation of the the company submission demonstrating no forced labor in the supply chain and no relationship with BIS / SDN countries and entities.

Respond and Advocate: ST&R can assist in demonstrating that company compliance, due diligence and reasonable care has been undertaken throughout the supply chain. ST&R will seek relief and / or removal of a WRO as appropriate.

For assistance with the above, contact supplychainvisibility@strtrade.com or your ST&R professional.

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