



# UFLPA Compliance Checklist

For U.S. Importers

*Uyghur Forced Labor Prevention Act (Public Law No: 117-78)*

Rebuttable Presumption in Effect Since June 21, 2022

Last Updated: April 2026

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## Section 1: Risk Assessment and Product Identification

- Identify all products with potential Xinjiang (XUAR) connections
- Flag products in the 13 UFLPA high-priority enforcement sectors:
  - Cotton and textiles
  - Polysilicon and silica-based products
  - Tomatoes and tomato products
  - Polyvinyl chloride (PVC) and vinyl products
  - Aluminum and downstream products
  - Seafood
  - Electronics
  - Automotive components (batteries, tires)
  - Caustic soda (added August 2025)
  - Jujubes / red dates (added August 2025)
  - Copper and downstream products (added August 2025)
  - Lithium and downstream products (added August 2025)
  - Steel and downstream products (added August 2025)
- Assess products containing raw materials commonly sourced from Xinjiang (e.g., human hair products, footwear, industrial materials)
- Document all HS codes for products with potential UFLPA exposure
- Identify information gaps where supply chain visibility is weak
  - Suppliers who will not disclose sources
  - Complex multi-country supply chains
  - Commodity products with mixed origins

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## Section 2: Supply Chain Mapping and Traceability

- Map complete supply chain from raw materials to finished goods for each product line
- Document Tier 1 (direct) suppliers — name, address, role, country
- Document Tier 2 (sub-suppliers) — name, address, role, country



- Document Tier 3+ (raw material sources) — name, address, role, country
  - Identify all intermediaries and trading companies in the supply chain
  - Record specific region/province for each China-based facility (not just "Made in China")
  - Map all processing, manufacturing, and assembly locations
  - Identify shipping routes, ports, transshipment hubs, and warehouses
  - Flag any transit or consolidation in/near Xinjiang or via known high-risk routing hubs
  - Create visual supply chain map/diagram for each product line
  - Assign unique identifiers to track inputs (lot/batch numbers) where possible
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## Section 3: Entity Screening

- Screen all suppliers (all tiers) against the DHS UFLPA Entity List (144 entities as of 2025 update)
  - Screen against OFAC SDN List and other U.S. sanctions lists
  - Screen against UN, EU, and other applicable international sanctions lists
  - Screen supplier directors and senior management
  - Screen all ultimate beneficial owners (UBOs) of suppliers
  - Check for affiliates, subsidiaries, and related entities of listed companies
  - Document all screening results with dates performed
  - Establish automated or regular re-screening schedule (Entity List is updated frequently)
  - Investigate and resolve any possible/confirmed hits — escalate or decline relationship
  - Re-screen when new entities are added to the UFLPA Entity List
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## Section 4: Documentation Collection (CBP Evidence Package)

### Commercial Documents

- Collect master contracts / framework agreements (each tier)
- Collect purchase orders between supply chain parties (each tier)
- Collect commercial invoices with quantities, dates, and prices
- Collect packing lists with lot/batch numbers

### Origin and Traceability Documents

- Obtain Certificates of Origin for each supplier specifying region/province
- Collect supplier declarations / signed affidavits confirming:
  - No Xinjiang-origin materials



- No Entity List connections
- No use of forced labor
- Gather production records and material balance sheets
- Obtain input/output inventory records by facility and production stage
- Collect batch/lot records linking specific shipments to claimed origins

## Logistics Documents

- Collect Bills of Lading / Air Waybills
- Collect manifests, delivery orders, and warehouse receipts
- Document shipping routes with clear chain of custody

## Financial Documents

- Collect payment instructions and bank confirmations
- Obtain bank statements linking payments to POs/shipments
- Ensure financial records are consistent with declared supply chain

## Audit Reports

- Obtain third-party social compliance audit reports (SMETA, SA8000, BSCI, or equivalent)
- Obtain UFLPA-specific supply chain assessments where available
- Prioritize audits for high-risk suppliers and high-priority sector products

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# Section 5: Forced Labor Risk Indicators Assessment

## Location and Entity Risk

- Confirm no facility is located in Xinjiang (XUAR) or other known high-risk zones
- Confirm no entity appears on or is linked to entities on the UFLPA Entity List
- Check for government documents referencing "labor transfer," "vocational training," or similar state labor programs
- Review for connections to the Xinjiang Production and Construction Corps (XPCC)

## Labor Practice Red Flags

- No evidence of workers' identity documents or passports being retained
- No evidence of recruitment fees charged to workers
- No indications of restricted movement or mandatory dormitory living
- Overtime, production capacity, and headcount appear consistent (no discrepancies)
- Workers were not recruited or transferred by the Chinese government or UFLPA Entity List companies



- Evidence that workers from Xinjiang (if any) are working voluntarily without menace or threat of penalty
- Worker wage records available showing how and to whom wages are paid

## Risk Rating

- Assign forced-labor risk rating for each supply chain (Low / Medium / High)
- High-risk ratings trigger enhanced due diligence, mitigation, remediation, or exit
- Document evidence: audit reports, interviews, local reporting, NGO alerts, internal assessments

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## Section 6: Policies and Procedures

- Adopt a human-rights and forced-labor policy approved by senior management
- Create and disseminate a Supplier Code of Conduct addressing:
  - Prohibition on forced labor
  - No sourcing from Xinjiang without verification
  - No Entity List connections
  - Transparency requirements
  - Right to audit
- Update supplier contracts with UFLPA compliance clauses:
  - Warranties on origin and labor practices
  - Documentation requirements
  - Audit rights
  - Termination rights for non-compliance
  - Indemnification provisions
- Establish internal review processes defining responsible parties for:
  - Screening, documentation, and monitoring
  - Responding to CBP inquiries and enforcement actions
  - Escalation procedures
- Document your complete compliance program for CBP review
- Update written compliance procedures at least annually to reflect current regulations

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## Section 7: Demonstrating Reasonable Care to CBP

Under 19 U.S.C. § 1484 (the Customs Modernization Act of 1993), importers must exercise “reasonable care” to enter, classify, and determine the value of imported merchandise. CBP’s Informed Compliance Publication includes 12 forced labor questions that importers must be able to answer. Demonstrating reasonable care is both a statutory duty and a built-in defense — importers who show good-faith compliance efforts may avoid negligence penalties under 19 U.S.C. § 1592 even when errors occur.



## CBP's 12 Forced Labor Reasonable Care Questions

Importers must be able to affirmatively answer each of the following (from CBP's amended Reasonable Care Checklist, September 2017):

- 1. Have you established reliable procedures to ensure you are not importing goods in violation of 19 U.S.C. § 1307 and 19 C.F.R. §§ 12.42–12.44?
- 2. Do you know how your goods are made, from raw materials to finished goods, by whom, where, and under what labor conditions?
- 3. Have you reviewed CBP's "Forced Labor" webpage, including the list of active Withhold Release Orders (WROs) and findings, as well as forced labor fact sheets?
- 4. Have you reviewed the Department of Labor's "List of Goods Produced by Child Labor or Forced Labor" to familiarize yourself with at-risk country and commodity combinations?
- 5. Have you obtained a ruling from CBP regarding the admissibility of your goods under 19 U.S.C. § 1307 (see 19 C.F.R. Part 177), and if so, have you established reliable procedures to follow the ruling and bring it to CBP's attention?
- 6. Have you established a reliable procedure of conducting periodic internal audits to check for forced labor in your supply chain?
- 7. Have you established a reliable procedure of having a third-party auditor familiar with evaluating forced labor risks conduct periodic, unannounced audits of your supply chain?
- 8. Have you reviewed the International Labour Organization's (ILO) "Indicators of Forced Labour" booklet?
- 9. Do you vet new suppliers/vendors for forced labor risks through questionnaires or some other means?
- 10. Do your contracts with suppliers include terms that prohibit the use of forced labor, a time frame to take corrective action if forced labor is identified, and consequences (including termination) if corrective action is not taken?
- 11. Do you have a comprehensive and transparent social compliance system in place? Have you reviewed the Department of Labor's "Comply Chain" webpage?
- 12. Have you developed a reliable program or procedure to maintain and produce any required customs entry documentation and supporting information?

## Applicability Review Package Preparation

CBP's February 2023 guidance specifies best practices for submitting documentation when goods are detained. Prepare your applicability review package in advance:

- Prepare an executive summary explaining the documents contained in the package
- Create a table of contents organized by supply chain tier (from raw materials to finished goods)
- Include transaction and supply chain records demonstrating the country of origin of the imported good and all components (packing lists, bills of lading, manifests)
- Include documents demonstrating all parties participating in the transactions, their roles, and a supply chain flow chart
- Include documents relating to the payment and transportation of raw materials (invoices, contracts, purchase orders, proof of payments)
- Ensure all documentation is translated into English



- Submit documentation as a complete package — not “piecemeal” documents
- Identify when supply chains are identical to previously reviewed and approved supply chains (can reduce detention time by 10–14 days)
- For complex supply chains, request a meeting with the assigned CBP Center of Excellence and Expertise team to walk through the submission

## Reasonable Care Evidence and Documentation

- Maintain a written customs compliance program documenting your forced labor due diligence approach
- Retain access to CBP regulations, the Harmonized Tariff Schedule, and the Customs Ruling Online Search System (CROSS)
- Keep copies of any CBP binding rulings obtained, and procedures showing you follow them
- Maintain a record of all customs entry documentation, supporting information, and compliance communications
- Ensure a responsible, knowledgeable individual reviews all customs documentation for accuracy before submission
- Document your process for tariff classification, country of origin determination, and valuation
- Retain all compliance records for a minimum of 5 years (19 U.S.C. § 1508 recordkeeping requirement)
- Conduct periodic internal audits of your import compliance program
- If using a customs broker, verify information provided to them is accurate, up-to-date, and complete — and maintain written records of their guidance

## Penalty Avoidance Under 19 U.S.C. § 1592

Understanding the penalty structure reinforces why documenting reasonable care matters:

- Understand the three penalty tiers for violations:
  - Fraud: up to the domestic value of the merchandise
  - Gross negligence: up to 4x the lawful duties or 40% of dutiable value
  - Negligence: up to 2x the lawful duties or 20% of dutiable value
- Maintain evidence that your compliance program is active, documented, and regularly updated — this is your primary defense against negligence or gross negligence findings
- If you discover past errors, conduct a voluntary prior disclosure under 19 C.F.R. § 162.74 to mitigate penalties
- Monitor for CBP “Known Importer Letters” — respond promptly and document remediation steps taken
- For C-TPAT participants: understand that forced labor violations can result in tier-level reduction or removal from the program



## Section 8: CBP Detention Response Preparedness

- Understand the UFLPA enforcement timeline under 19 CFR § 151.16:
    - 5 days from presentation for examination: CBP decides to release or detain
    - 5 days after detention decision: CBP issues notice to importer
    - 30 days from examination: CBP makes final admissibility determination
    - 180 days from determination: Importer may protest
  - Organize all compliance documentation by supplier and shipment for quick access (days, not weeks)
  - Prepare evidence packages demonstrating "clear and convincing" evidence that goods were not produced with forced labor
  - Identify legal counsel experienced in UFLPA/forced-labor matters
  - Conduct a mock detention response exercise to test readiness
  - Know options: export merchandise, rebut the presumption, or prove no nexus to XUAR
  - Ensure all documentation submitted to CBP is in English and well-organized
  - Consider C-TPAT Trade Compliance membership for prioritized review
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## Section 9: Training and Staff Awareness

- Train procurement/sourcing teams on UFLPA requirements and red flags
  - Train logistics/trade compliance teams on documentation requirements
  - Train finance/AP teams on financial documentation requirements
  - Train business units managing suppliers/customers on escalation procedures
  - Conduct training refreshers at least annually or when regulations change
  - Document all training completed (dates, participants, topics)
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## Section 10: Ongoing Monitoring and Periodic Review

- Set review frequency by risk level:
  - High risk: annually
  - Medium risk: every 2 years
  - Low risk: every 3 years
- Regularly re-screen against UFLPA Entity List and related forced-labor lists
- Monitor for DHS strategy updates and new high-priority sector designations
- Monitor for new Entity List additions (currently 144 entities as of August 2025)
- Trigger ad-hoc reviews for:
  - Ownership or control changes
  - New factories or raw material sources
  - Adverse media/NGO reports



- CBP detention or enforcement actions
- Conduct quarterly (minimum) supply chain reviews
- Periodically sample completed checklists and evidence files for quality assurance
- Track international developments for alignment:
  - Canada Supply Chain Act
  - EU forced labor regulation
  - UK Modern Slavery Act

## Section 11: Key Statistics and Reference

UFLPA Quick Reference Facts	
<b>Signed into law</b>	December 23, 2021
<b>Rebuttable presumption effective</b>	June 21, 2022
<b>UFLPA Entity List</b>	144 entities (as of August 2025 strategy update)
<b>High-priority sectors</b>	13 sectors (as of August 2025)
<b>Shipments examined</b>	16,000+ valued at ~\$3.7 billion since enforcement began
<b>H1 2025 detentions</b>	6,636 shipments detained (vs. 4,619 in all of 2024)
<b>Top country detained</b>	China — 82.8% of detained shipments
<b>Evidentiary standard</b>	"Clear and convincing" — no importer has successfully rebutted the presumption to date
<b>Sources:</b> CBP UFLPA Statistics Dashboard ( <a href="https://www.cbp.gov/trade/forced-labor/UFLPA">https://www.cbp.gov/trade/forced-labor/UFLPA</a> ); DHS UFLPA Strategy 2025 Update ( <a href="https://www.dhs.gov/uflpa">https://www.dhs.gov/uflpa</a> ); DOL announcement August 19, 2025.	

*This checklist is for compliance planning purposes only and does not constitute legal advice.  
Consult qualified trade counsel for guidance specific to your products and supply chains.*