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## CBP bans all cotton, tomatoes from China's Xinjiang region

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The U.S. Customs and Border Protection on Wednesday issued a long-awaited withhold-release order on all cotton and tomato products from China's Xinjiang region, citing the use of forced labor in the Chinese province.

CBP has for months been considering issuing a region-wide WRO, but officials have said such an order [required significant legal analysis](#) to ensure it holds up when it is inevitably challenged in court. [Some congressional Democrats](#) have been pushing for the region-wide order.

"No one has ever successfully challenged a withhold-release order from Customs [and] Border Protection. Period. Full stop," acting Homeland Security Deputy Director Ken Cuccinelli told reporters in a conference call on Wednesday. "That is not going to change with this withhold-release order. It is airtight, very strong, and well-warranted under American law."

"It is crystal clear the Chinese government is executing a campaign of oppression against Uyghur Muslims and other minority groups," Mark Morgan, the de facto acting CBP commissioner, told reporters. According to Morgan, CBP has identified six forced labor indicators in Xinjiang: Debt bondage, restriction of movement, isolation, intimidation and threats, withholding of wages and abusive working and living conditions.

"CBP will not tolerate the Chinese government's exploitation of modern slavery to import goods into the United States below fair market value," Morgan said in a statement. "Imports made on the cheap by using forced labor hurt American businesses that respect human rights and also expose unsuspecting consumers to unethical purchases."

In the last year, the U.S. has imported \$9 billion worth of cotton products and \$10 million worth of tomato products from China, according to Brenda Smith, the executive assistant commissioner for CBP's Office of Trade.

The challenge for CBP in enforcing the order will involve tracking the cotton exported as a raw material from Xinjiang to other countries, where it is processed into finished products, according to Smith. CBP has applied artificial intelligence and link analysis methods to help determine the origin of shipments, she said.

Cuccinelli warned that companies knowingly attempting to circumvent the WRO will be subject to criminal investigations. The Homeland Security Department, which oversees CBP, has investigations open, he said, declining to offer further details.

Wednesday's WRO follows bans of Chinese products made with forced labor in Xinjiang issued last year. CBP in September issued five WROs covering hair, apparel, cotton and computer parts from specific companies as well as products from what the Trump administration called a "concentration camp." [A December WRO](#) applied to the Xinjian Production and Construction Corporation, which produces about 17 percent of Xinjiang's cotton. -- *Brett Fortnam* ([bfortnam@iwppnews.com](mailto:bfortnam@iwppnews.com))

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