§ 1307. Convict-made goods; importation prohibited

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 shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision.

For purposes of this section, the term “forced labor or/and indentured labor” includes forced or indentured child labor.

Prior Provisions

Provisions in the same language as the provisions in this section were made by act Oct. 3, 1913, ch. 16, § 1, 38 Stat. 195, superseding similar provisions of previous tariff acts. That subdivision was superseded by act Sept. 21, 1922, ch. 356, title III, § 307, 42 Stat. 937, and repealed by section 321 of that act. Section 307 of act Sept. 21, 1922, was superseded by section 307 of act June 17, 1930, comprising this section, and repealed by section 651(a)(1) of the 1930 act.

effective date of amendment

For effective date of amendment by Pub. L. 91–271, see section 203 of Pub. L. 91–271, set out as a note under section 1500 of this title.

Transfer of Functions

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as amended, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Importation of RU–486

Memorandum of President of the United States, Jan. 22, 1993, 58 F.R. 7459, provided: Memorandum for the Secretary of Health and Human Services

In Import Alert 66–47, the Food and Drug Administration (“FDA”) excluded the drug Mifepristone—commonly known as RU–486—from the list of drugs that individuals can import into the United States for their “personal use,” although the drugs have not yet been approved for distribution by the FDA. (See FDA Regulatory Procedures Manual, Chapter 9–71.) Import Alert 66–47 effectively bans the importation of a drug that is used in other nations as a nonsurgical means of abortion.

I am informed that in excluding RU–486 from the personal importation exemption, the FDA appears to have based its decision on factors other than an assessment of the possible health and safety risks of the drug. Accordingly, I hereby direct that you promptly instruct the FDA to determine whether there is sufficient evidence to warrant exclusion of RU–486 from the list of drugs that qualify for the personal use importation exemption. Furthermore, if the FDA concludes that RU–486 meets the criteria for the personal use importation exemption, I direct that you immediately take steps to rescind Import Alert 66–47.

In addition, I direct that you promptly assess initiatives by which the Department of Health and Human Services can promote the testing, licensing, and manufacturing in the United States of RU–486 or other antiprogestins.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

William J. Clinton


$1307. Convict-made goods; importation prohibited

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Effective Date of 1970 Amendment

For effective date of amendment by Pub. L. 91–271, see section 203 of Pub. L. 91–271, set out as a note under section 1500 of this title.

Effective Date of 2016 Amendment

Pub. L. 114–125, title IX, § 910(a)(2), Feb. 24, 2016, 130 Stat. 239, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect on the date that is 15 days after the date of the enactment of this Act [Feb. 24, 2016].”

Effective Date of 2000 Amendment

Pub. L. 106–200, title IV, § 411(b), May 18, 2000, 114 Stat. 298, provided that: “The amendment made by this section [amending this section] shall take effect on the date of the enactment of this Act [May 18, 2000].”

Prohibition on Use of Funds to Prevent Enforcement of Ban on Importation of Convict-Made Goods

Pub. L. 108–90, title V, § 514, Oct. 1, 2003, 117 Stat. 1154, provided that: “For fiscal year 2004 and thereafter, none of the funds appropriated or otherwise made available to the Department of Homeland Security shall be available for any activity or for paying the salary of any Government employee where funding an activity or
paying a salary to a Government employee would result in a determination, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307)."

Prohibition on Use of Funds To Allow Importation of Forced or Indentured Child Labor
Pub. L. 108–90, title V, § 515, Oct. 17, 1998, 112 St. 2275, provided that: ‘‘For fiscal year 2004 and thereafter, none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to allow—

‘‘(1) the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

‘‘(2) the release into the United States of any good, ware, article, or merchandise which there is in effect a detention order under such section 307 on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.’’

Reporting Requirement on Forced Labor Products Destined for United States Market
Pub. L. 106–261, div. C, title XXXVII, § 3702, Oct. 17, 1998, 112 St. 2275, provided that:

‘‘(a) Report to Congress.—Not later than 1 year after the date of enactment of this Act (Oct. 17, 1998), the Commissioner of Customs shall prepare and transmit to the Congress a report on products made with forced labor that are destined for the United States market.

‘‘(b) Contents of Report.—The report under subsection (a) shall include information concerning the following:—

‘‘(1) The extent of the use of forced labor in manufacturing products destined for the United States market.

‘‘(2) The volume of products made with forced labor, destined for the United States market, that is in violation of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) or section 761 of title 18, United States Code, and seizure by the United States Customs Service.

‘‘(3) The progress of the United States Customs Service in identifying and interdicting products made with forced labor that are destined for the United States market.’’

Sense of Congress Requesting President to Instruct Secretary of the Treasury To Enforce Section 1307 Without Delay

§ 1308. Prohibition on importation of dog and cat fur products
(a) Definitions
In this section:

(1) Cat fur
The term ‘‘cat fur’’ means the pelt or skin of any animal of the species Felis catus.

(2) Interstate commerce
The term ‘‘interstate commerce’’ means the transportation for sale, trade, or use between any State, territory, or possession of the United States, or the District of Columbia, and any place outside thereof.

(3) Customs laws
The term ‘‘customs laws of the United States’’ means any other law or regulation enforced or administered by the United States Customs Service.

(4) Designated authority
The term ‘‘designated authority’’ means the Secretary of the Treasury, with respect to the prohibitions under subsection (b)(1)(A), and the President (or the President’s designee), with respect to the prohibitions under subsection (b)(1)(B).

(5) Dog fur
The term ‘‘dog fur’’ means the pelt or skin of any animal of the species Canis familiaris.

(6) Dog or cat fur product
The term ‘‘dog or cat fur product’’ means any item of merchandise which consists, or is composed in whole or in part, of any dog fur, cat fur, or both.

(7) Person
The term ‘‘person’’ includes any individual, partnership, corporation, association, organization, business trust, government entity, or other entity subject to the jurisdiction of the United States.

(8) United States
The term ‘‘United States’’ means the customs territory of the United States, as defined in general note 2 of the Harmonized Tariff Schedule of the United States.

(b) Prohibitions

(1) In general
It shall be unlawful for any person to—

(A) import into, or export from, the United States any dog or cat fur product; or

(B) introduce into interstate commerce, manufacture for introduction into interstate commerce, sell, trade, or advertise in interstate commerce, offer to sell, or transport or distribute in interstate commerce in the United States, any dog or cat fur product.

(2) Exception
This subsection shall not apply to the importation, exportation, or transportation, for noncommercial purposes, of a personal pet that is deceased, including a pet preserved through taxidermy.

(c) Penalties and enforcement

(1) Civil penalties

(A) In general
Any person who violates any provision of this section or any regulation issued under this section may, in addition to any other civil or criminal penalty that may be imposed under title 18 or any other provision of law, be assessed a civil penalty by the designated authority of not more than—

(i) $10,000 for each separate knowing and intentional violation;

(ii) $5,000 for each separate grossly negligent violation; or

(iii) $3,000 for each separate negligent violation.

(B) Debarment
The designated authority may prohibit a person from importing, exporting, transport-