



COMMERCIAL CUSTOMS OPERATIONS  
ADVISORY COMMITTEE

## **Commercial Customs Operations Advisory Committee**

### **March 2021 Recommendations**

#### **COAC Public Meeting**

**March 17, 2021 – Virtual**

#### **INTELLIGENT ENFORCEMENT SUBCOMMITTEE**

#### **Intellectual Property Rights Working Group Recommendations**

In further support of recommendation #010434 to support sharing of detention information:

##### **010516**

COAC recommends when CBP has suspicions of IPR violations triggered by something seen on the goods or their packaging, the image(s) should be shared with the importer of record prior to detention or with the notice of detention.

##### **010517**

COAC recommends CBP should adopt consistent procedures to make images readily available and transmitted to the rights holder quickly after receipt of a request, especially when images were produced at the time of inspection while CBP is making decisions.

##### **010518**

COAC recommends CBP notify the rights holder of its decision when redacted images are shared with the rights holder prior to the seizure.

In further support of recommendation #010435 to develop a “photographic standards guide:

##### **010519**

COAC recommends the “Photographic Standards Guide” define specific requirements relating to image file type(s), such as minimum standards for product, interior and exterior packaging and

label photos (as allowed by regulations), and acceptable delivery methods via electronic means. COAC also recommends expediting the distribution of the guide in PDF format to be posted on [cbp.gov](http://cbp.gov) for all parties to access.

### **010520**

COAC recommends CBP develop a web application that guides the photo-taking process, verifies quality, and creates standard formats for the images to simplify information sharing with importers and rights holders.

To further support recommendation #010436 to have a more data-driven CBP seizure process:

### **010521**

COAC recommends CBP integrate technology within the seizure process by furnishing appropriate mobile hardware and software to officers and import specialists to support swift decision making.

### **010522**

COAC recommends CBP use a single reference number (e.g., entry number) to consistently track shipments through the entire exam, detention, and seizure process.

### **010523**

COAC recommends CBP address the significant increase in small parcel shipments by supplementing CBP officials, as appropriate, specifically at International Mail Facilities to inspect packages.

## **Forced Labor Working Group Recommendations**

### **010524**

COAC recommends CBP take a collaborative, multi-agency approach as forced labor laws, regulations, outreach and enforcement spans multiple government agencies such as the Department of Homeland Security; Immigration and Customs Enforcement; Department of Treasury; the Department of Labor, International Labor Affairs Bureau; Department of State's Bureau of Democracy, Human Rights and Labor, Trafficking in Persons Office, Office of the U.S. Trade Representative, and the Economic and Business Affairs Bureau, etc. Including collaboration initiatives between the US and international agencies (e.g. U.S. Foreign assistance programs) directed to mitigate forced labor practices at the source countries with localized government's enforcement. CBP should utilize the expert resources of all relevant US government agencies to develop a synchronized strategy as well as engage more extensively in dialogue and priority setting with the trade.

### **010525**

COAC recommends CBP expand its collaboration and communication with trade sectors/industries, identifying and sharing best practices, including government to industry efforts to minimize forced labor in supply chains as highlighted in the ‘Industry Collaboration White Paper ’ submitted during COAC’s public meeting July 2020.

### **010526**

COAC recommends, consistent with GAO 2020 Forced Labor Imports Report and as a broader interagency and trade sector strategy, CBP develop an objective methodology to measure ‘success’ in combatting forced labor in the supply chain. Successful measures should be based on outcome metrics (whether enforcement actions actually result in a reduction of or the elimination of forced labor, at the locations of alleged violators) that ultimately focus on the improvement of the communities this illegal practice most impacts, rather than the number of withhold release orders and detentions issued.

### **010527**

COAC recommends CBP apply the same principles, tools, guidance and outreach to forced labor as is the case with the other PTIs, that is, “world class expertise to design trade processes and policies that minimize cost and provide certainty, transparency, security, and predictability to members of the trade community.” <https://www.cbp.gov/trade/priority-issues>

Updated: 03/18/2021 - MKS