

22.1503 Procedures for acquiring end products on the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor.

(a) When issuing a *solicitation* for *supplies* expected to exceed the *micro-purchase threshold*, the *contracting officer* must check the *List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor* (the List) (www.dol.gov/ilab/) (see 22.1505(a)). Appearance of a product on the List is not a bar to purchase of any such product mined, produced, or manufactured in the identified country, but rather is an alert that there is a reasonable basis to believe that such product *may* have been mined, produced, or manufactured by *forced or indentured child labor*.

(b) The requirements of this subpart that result from the appearance of any *end product* on the List do not apply to a *solicitation* or contract if the identified country of origin on the List is-

(1) Israel, and the anticipated value of the *acquisition* is \$50,000 or more (see 25.406);

(2) Mexico, and the anticipated value of the *acquisition* is \$105,767 or more (see subpart 25.4); or

(3) Armenia, Aruba, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hong Kong, Hungary, Iceland, Ireland, Italy, Japan, Korea, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Taiwan, Ukraine, or the United Kingdom and the anticipated value of the *acquisition* is \$174,000 or more (see 25.402(b)).

(c) Except as provided in paragraph (b) of this section, before the *contracting officer* may make an award for an *end product* (regardless of country of origin) of a type identified by country of origin on the List the *offeror* must certify that-

(1) It will not supply any *end product* on the List that was mined, produced, or manufactured in a country identified on the List for that product, as specified in the *solicitation* by the *contracting officer* in the Certification Regarding Knowledge of Child Labor for Listed *End Products*; or

(2)

(i) It has made a good faith effort to determine whether *forced or indentured child labor* was used to mine, produce, or manufacture any *end product* to be furnished under the contract that is on the List and was mined, produced, or manufactured in a country identified on the List for that product; and

(ii) On the basis of those efforts, the *offeror* is unaware of any such use of child labor.

(d) Absent any actual knowledge that the certification is false, the *contracting officer* must rely on the *offerors'* certifications in making award decisions.

(e) Whenever a *contracting officer* has reason to believe that *forced or indentured child labor* was used to mine, produce, or manufacture an *end product* furnished pursuant to a contract awarded

subject to the certification required in paragraph (c) of this section, the *contracting officer must* refer the matter for investigation by the agency's Inspector General, the Attorney General, or the Secretary of the Treasury, whichever is determined appropriate in accordance with agency procedures, except to the extent that the *end product* is from the country listed in paragraph (b) of this section, under a contract exceeding the applicable threshold.

(f) Proper certification will not prevent the head of an agency from imposing remedies in accordance with section 22.1504(a)(4) if it is later discovered that the contractor has furnished an *end product* or *component* that has in fact been mined, produced, or manufactured, wholly or in part, using *forced or indentured child labor*.

Parent topic: Subpart 22.15 - Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor