

Customs Report

By Thomas Crockett • Aug 28, 2025

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A few quick updates on the FDRA Trade & Logistics Strategy Summit, forced labor enforcement, and a few recent classification decisions.

Join us in Portland to talk trade and tariff strategy

The [Portland Shoe Trade and Logistics Strategy Summit](#) is just weeks away, on September 17th. A few key takeaways.

👉 Important update: This year’s event will provide continuing education credit for customs professionals. This FDRA event is worth 5 Continuing Education Units (CEUs)!

🌲 Portland fun: The event features all of the great FDRA insight and intel ... with a fun Portland twist: Deadstock Coffee with sneaker designs, real-world trade scenario breakout sessions, *Who Wants to Be a Shoe Millionaire?*, and more!

🚢 Great lineup: Associate General Counsel & VP of Government Affairs Kurt Tandan (adidas) will share tips on navigating the global trade landscape. Pete Mento (DSV) will cover where international trade is heading next, and Corey Day (Stoel Rives) will do a deep dive on key compliance issues like Prop 65 and PFAS.

One more thing: The day before, we are holding two additional Portland events: The [Shoe Sustainability & Innovation Summit](#) and [Brews & Shoes](#) networking and trivia night. (Combo tickets for all 3 events [here](#)).

View the agenda, see the photos of last year’s event, and register today:

Trade & Logistics Summit

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Forced labor enforcement news

On August 1st, the Department of Homeland Security (DHS) updated its searchable tool of Uyghur Forced Labor Prevention Act (UFLPA) stats.

📊 By the numbers: So far in fiscal year 2025, 376 🧴 apparel, 👠 footwear, and 🧵 textile shipments have been detained.

- 204 (54%) of those shipments have been denied, 88 (23%) have been released, and 84 (22%) are still pending.
- Since the UFLPA went into effect in June 2022, 2,226 apparel, footwear, and textile shipments have been detained.
- **Yes, but:** The stats group footwear 👠 with apparel 🧴 and textiles 🧵. To our knowledge, no footwear shipments have been detained as being produced in or containing materials or components from Xinjiang. That could still change, with the the first-ever addition of a [footwear factory](#) to the UFLPA Entity List in June 2024. This is the only footwear factory on the list.

Go deeper: View the UFLPA stats [here](#).

Recent classification decisions: insoles and pain relief?

🌐 NY N349967 (July 8, 2025)

Product: multi-layered footwear inserts designed to help relieve foot pain. The inserts do not cure any physical abnormality or condition and are not customized to a particular person.

Result: The importer requested a secondary classification, 9817.00.96, which covers articles “designed or adapted for the use of benefit of physically handicapped persons.” CBP denied the request.

- **Take note:** Basically, CBP limits the application of that provision to products: 1. easily distinguishable from articles useful to those without disabilities, 2. with characteristics that create a substantial probability of use by those with disabilities, 3. reported by entities recognized to be involved in this class/kind of articles, 4. sold in specialty stores, and 5. where the condition at the at the time of importation indicates these articles are designed for those with disabilities. [Read more](#).

One more thing: Similar results are found in [NY N350928](#) (July 17, 2025), covering insoles, and [NY 349979](#) (July 3, 2025), covering flip-flops designed to help people walk without severe pain from plantar fasciitis.

Recent classification decisions: athletic vs. nonathletic? Overshoes?

🌐 NY N349801 (June 27, 2025)

- **Footwear:** woman’s casual shoe. Closed-toe, closed heel, lace-up, textile upper, rubber/plastic (R/P) sole, valued over \$12/pair.
- **Takeaway:** The ruling notes that although the shoe has athletic styling, there is minimal underfoot cushioning, which excludes it from classification as athletic. CBP places classification in 6404.19.90 (9%)(4A). [Read more](#).

NY N349762 (June 26, 2025)

- **Product:** products designed to fit over shoes or boots to provide traction on snow or ice-covered terrain while running, hiking, etc.
- **A few more things:** The product consists primarily of R/P around the perimeter of the foot. A textile strap is placed across the top of the foot. Additional straps are used to connect the R/P near the toes to the strap at the center over the foot. The outer sole consists of two R/P pieces set under the middle and the forefoot. These pieces are inserted with three 3mm steel studs. The back half of the sole consists of R/P wrapped with 1.4 mm coils.
- **Takeaway:** CBP fixes classification in 6405.90.60 (12.5%)(4B), as other footwear. [Read more](#).

The FDRA Customs Report is a newsletter of customs, administrative, and other developments affecting importers of footwear prepared as a service for FDRA members. Matters reported on or summarized herein may not be construed as legal advice on specific situations.

Thanks for reading this month’s FDRA Customs Report. Feel free to share this newsletter with others on your team. Have a great rest of the week!

Thomas

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