CQ Researcher

Fast Fashion

Report

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Introduction

Beginning in the 1990s, fast-fashion brands such as H&M and Zara reshaped the industry by offering consumers more styles at cut-rate prices. Now, e-commerce retailers, such as Shein and Temu, are reinventing the fast-fashion business model. The apparel industry produces approximately 150 billion garments per year, up to 40 percent of which are never sold and are destroyed or sent to landfills. In addition to producing massive textile waste, these brands send garment manufacturing offshore to countries with fewer worker protections and low labor costs, creating complex and opaque supply chains that obscure workers' rights and environmental violations. Policymakers are pushing back with new laws to hold fashion brands responsible for problems within their supply chains and waste management for their products. Opponents argue these new policies put too much liability on brands for factors beyond their control, while fast-fashion critics say laws do not go far enough in regulating the industry.

A crowd in Madrid waits to enter retailer Shein's first store in 2022. Popular fast-fashion brands, such as Shein, offer stylish, low-price clothing meant to be disposable. These prod-

ucts also account for massive amounts of textile waste and are often made in countries with few protections for workers.

(Getty Images/Europa Press/Cezaro De Luca)

Overview

Near Accra, Ghana, once-pristine beaches are now marred by “tentacles,” multicolored amalgamations of twisted clothing up to 3 feet wide and 30 feet long, with roots that can extend 15 feet into the sand. 1

Just over a decade ago, “you would go to the beach … and maybe see like one garment, but nothing really alarming,” says Liz Ricketts, co-founder and executive director of The Or Foundation, a nonprofit focused on reducing textile waste and improving working conditions in Ghana's secondhand apparel trade. “Now, there are piles of clothing taller than I am.”

These tentacles form when heavy rains wash unsold clothes from the nearby Kantamanto secondhand apparel market — one of the world's largest — through sewers and waterways into the ocean, where they damage aquatic ecosystems, create safety hazards for swimmers and fishing boats and are eventually regurgitated back onto beaches. 2

Every year, the world generates 92 million tons of textile waste, a figure expected to reach 134 million tons by 2030. This outcome is one of many deleterious effects of fast fashion, a $106.4 billion dollar industry that quickly produces large quantities of low-quality, low-cost clothing that is disposable by design. 3

Fast-fashion buyers, who primarily live in China and the United States, are drawn to the kaleidoscopic array of trendy styles at rock-bottom prices but are often unaware of their cost to the environment and workers. 4

Used clothes litter the shore of the Jhelum River in Sopore, India. Disposable fast fashion has contributed to growing pollution problems, especially in developing countries, where secondhand garments are often resold in markets.

(AP Photo/NurPhoto/Nasir Kachroo)

Bhavik Sarkhedi, a content marketer and fast-fashion aficionado in Ahmedabad, India, says he buys clothes often, usually five to seven items per shopping trip, and wears pieces from fast-fashion brands for about five months before donating them to charity. “I really like how Zara always has the latest trends,” Sarkhedi says. “H&M is great because you can find a bit of everything there — and it doesn't break the bank.”

Beginning in the 1990s, brands including H&M, Forever 21, Mango, Uniqlo and Zara began flooding the market with high-fashion looks at bargain prices. Forgoing the traditional seasonal collections format, these fast-fashion retailers produce as many as 52 “micro-seasons” per year. 5

“They make it at lightning speed; they sell at lightning speed,” says Dana Thomas, fashion journalist and au-

thor of *Fashionopolis: The Price of Fast Fashion and the Future of Clothes*, referring to fast-fashion brands and their products. “They make it at the lowest cost possible.”

Fast Fashion 2.0

Now, e-commerce retailers Shein, founded in China in 2008, and Temu, established in Boston in 2022 but owned by Chinese company PDD Holdings, are ushering in what some are calling “fast fashion 2.0.” 6

They differ from the first iteration by not having brick-and-mortar stores. Instead, they ship individual items directly to consumers from overseas, rather than importing in bulk. In the United States, this means the items do not require import duties or taxes under the “de minimis” rule, a competitive advantage over traditional retail. Shein, which produced roughly $23 billion in global revenue and represented nearly 20 percent of the global fast-fashion market in 2022, lists 600,000 items on its website, some priced as low as $2. Zara restocks its stores twice per week, whereas Shein adds as many as 10,000 new garments to its site daily. 7

Fast fashionistas say they enjoy the variety of clothing options available without spending a lot of money. In the United States, fast-fashion buyers are overwhelmingly Gen Z and Millennial women. And, according to data analytics firm Attain, Shein and Forever 21 “find their core customer base within the mid-income range, earning between $50,000 to $100,000 annually.” 8

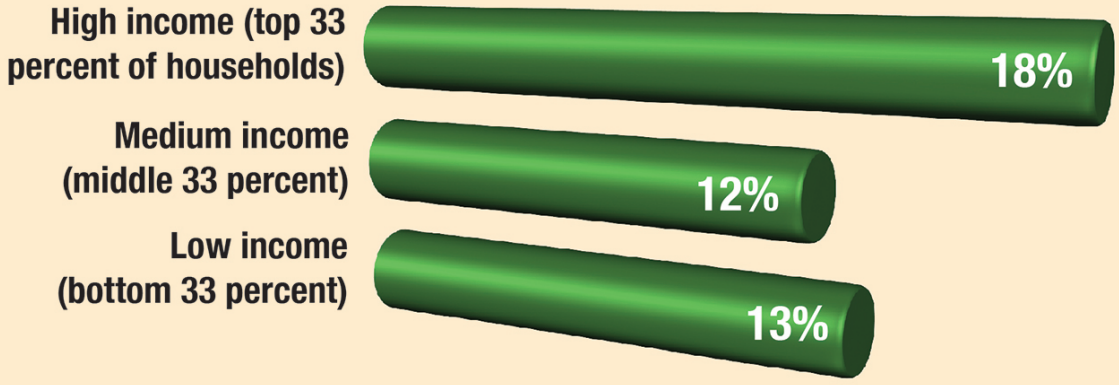
Many fast-fashion consumers do not have the luxury of buying ethical, sustainable clothing. Higher-quality products may last longer and, therefore, ultimately have a lower cost-per-wear, but the initial investment prices some consumers out. For example, a white cotton T-shirt costs less than $7 at Shein and H&M, but more than three times that at Pact, a sustainable, organic brand. 9

Few U.S. Consumers Avoid Buying Fast Fashion

Fast fashion remains popular despite controversy over its environmental impact and labor practices, due in part to its affordability and trendy products. In a recent survey, Americans were asked a series of questions about their online shopping habits, and only 12 percent to 18 percent said they do not buy fast fashion.

Fast-Fashion Sentiment Among U.S. Online Shoppers

U.S. online shoppers who agree with the statement, "I do not buy fast fashion," by income:



Source: Nadine Koutsou-Wehling, "Fast Fashion Analysis: Fast Fashion Versus Fair Fashion," ECDB, Oct. 27, 2023, http://tinyurl.com/CQRecdb

"[T]o shop ethically is a privilege many people simply cannot afford," wrote then-college student (now *BBC* reporter) Mary Atkinson in 2020 in *Palatinate*, the student newspaper of Durham University in Britain. "With the rise of the ethical fashion movement, an unfortunate culture of shaming those who engage in fast fashion has followed, perpetuated by those who are unaware of the privilege they hold in being able to be selective in consumer decisions." 10

Additionally, people who wear extended sizes are often forced to rely on fast-fashion retailers and big-box stores, which more reliably carry clothes that fit them. When it comes to fashion marketed toward women, less than one-fifth of the garments produced by sustainable fashion brands in the United States and U.K. come in

plus sizes, according to a 2020 report by Edited, a retail analytics company. In contrast, fast-fashion brands Fashion Nova, Forever 21 and Boohoo alone make up more than half of the plus-size market. 11

Meanwhile, the middle range of apparel retailers, neither sustainable nor fast fashion, generally produce clothes that are more likely to last, but advocates raise similar concerns about their business practices. 12

Critics of fast fashion say these retailers are exacerbating long-standing social and environmental problems in the apparel industry and creating new ones, including:

- Forced labor of the Uyghur community, a persecuted Muslim group, in the cotton-producing region of Xinjiang, China. 13
- Exploitation of workers and crowded, unsafe factories.
- Textile waste from secondhand apparel shipped to Global South countries, such as Chile and Ghana. 14
- Resource-intensive overproduction of products that spew climate warming emissions. 15

As a whole, the global fashion industry, worth $1.7 billion in 2021, is responsible for as much as 10 percent of carbon emissions. Textile manufacturing pumps 1.2 trillion tons of greenhouse gases into the atmosphere, an amount surpassed only by the oil industry. “Around 70 percent of the fashion industry's emissions [come] from upstream activities such as materials production, preparation and processing,” wrote analysts in a 2020 fashion and climate report by McKinsey, a global consulting firm. Approximately 18 percent of the global clothing market is fast fashion, according to market research firm Business Research Company. 16

Employees sort through crates of secondhand clothes at a textile recycling facility in Taiwan. While the fast-fashion industry produces tons of textile waste, some brands are investing in new technologies to improve recycling and use less-harmful fibers in their products.

(Getty Images/Annabelle Chih)

The materials themselves often require intensive use of natural resources. Plant-based fibers, especially cotton, are thirsty crops: a single T-shirt needs more than 700 gallons of water to be made; jeans take more than twice that. Cheap synthetic fibers — which fast-fashion manufacturing heavily relies on — such as polyester and nylon are in 65 percent of all clothing and are made from fossil fuels. 17

Only recently has new technology — including both the Green Machine, the result of a collaboration between H&M and the Hong Kong Research Institute of Textile and Apparel, and a process developed by Circ, a Virginia-based textile recycling startup — made it possible to separate the different fibers used in fast-fashion garments and recycle them into new textiles. 18

Fast-fashion brands keep costs low by offshoring production to countries such as China and Bangladesh, the world's two largest exporters of textiles, where labor costs less and government oversight is minimal. They also “nickel and dime suppliers,” says Thomas, to find the absolute lowest cost for each aspect of garment manufacture, from design and construction to finishing and packaging. 19

“The garment supply chain is very complicated. It's very opaque,” says Christie Miedema, campaign and outreach coordinator at the Clean Clothes Campaign, an Amsterdam-based organization focused on labor rights for garment workers.

Multiple tiers of suppliers, contractors and subcontractors each handle a different element of the production process, often in different countries. This fragmented system obscures safety and health violations, such as factories with blocked fire exits and the use of hazardous chemicals, in addition to exploitative business practices, including forced labor and unfair wages. 20

Another reason for supply chain opacity is that brands do not want to be held responsible for these kinds of violations, says Miedema, who adds that chemicals and sewage from such manufacturing effects not only workers, but communities surrounding the factories.

“This is an overproductive system that is spewing massive amounts of CO2 [carbon dioxide],” Miedema says. “We're talking about direct influence on the people who are making those clothes … [in] countries like Pakistan, like Bangladesh. These are communities that are on the front line of global warming.”

In a joint statement to *Forbes* regarding sustainability in the industry and possible regulations, trade groups the American Apparel and Footwear Association (AAFA) and the Council of Fashion Designers of America (CFDA) wrote: “The apparel and footwear industry has a strong commitment to sustainability and social responsibility within its supply chains. … That said, more needs to be done.” 21

Worldwide, people buy four times the number of clothes they did 20 years ago. U.S. consumers, the top importer of fast fashion after China, buy more than five times as many clothes than they did in the 1980s. The average American discards 82 pounds of textile waste per year, most of which ends up in landfills, where toxic chemicals and greenhouse gases are released as the materials slowly decompose. 22

Even with this surge in consumption, fast-fashion companies' output still exceeds demand. Thomas, the author of *Fashionopolis*, explains the business perspective behind wasteful production practices: In economies

of scale, increasing production volumes decreases the cost per unit, so it makes financial sense to buy more than is needed and dump what does not sell, she says. In fact, of the estimated 150 billion garments that fast-fashion companies produce annually, between 15 billion and 45 billion "are never sold or worn, mostly ending up in landfill or incinerated," according to WGSN, a company that forecasts consumer trends. 23

Shein Projected to Dominate Fast-Fashion Market

Shein, a Chinese e-commerce fashion brand, is a top retailer, and it is forecasted to expand even more. Analysts expect Shein's revenue growth to easily outpace its rivals in the next two years, more than doubling its 2022 revenue by 2025.

* Inditex's flagship brand is Zara; Fast Retailing's primary brand is Uniqlo.

Source: Robyn Mak, "Shein tries to thread US-China needle," *Reuters*, June 4, 2023, http://tinyurl.com/CQRreutneed

Shein, however, employs a different model. The company produces small batches of 100 to 200 items per style. Then, it uses propriety analytics to track customer response before either killing a design off or ramping up production of high-performing merchandise — a process that eliminates pre-consumer waste, Shein stated on its website. 24

Regulation Efforts

Fast-fashion brands remain largely unencumbered by regulations, but recent legislation in the European Union (EU) and United States could change that.

The EU Commission has introduced numerous directives and regulations — some already passed, while others are still in draft — intended to further a circular textile economy, in which industry infrastructure and eco-design principles are used to develop textile products to be reused, repaired and recycled. Meanwhile, the EU Parliament is aiming to enact a ban on products made through forced labor. 25

In the United States, Sen. Kirsten Gillibrand, D-N.Y., reintroduced the federal FABRIC Act in September after it originally stalled in a Senate committee in 2022 amid industry opposition. The bill now awaits a vote by the Senate Finance Committee. While most fast fashion is made overseas, some is made in the United States. The bill would prohibit U.S. employers from paying garment workers a per-piece rate and instead require an hourly minimum wage. It would also hold brands liable for abuses within their supply chains. 26

However, critics of the FABRIC Act say it places too much liability on brands for violations within their supply chains. In a statement, the AAFA and CFDA wrote: “joint liability provisions should be structured so that they focus only on the work for which brands are directly responsible.” 27

At the state level, the Fashion Sustainability and Accountability Act, known as the Fashion Act, would require brands operating in New York to map and disclose information about their supply chains. And California has passed a series of bills that will require brands to be more responsible for managing textile waste, disclose their greenhouse gas emissions and examine their climate change-related financial risk. 28

An employee at a leather company in Zhangjiakou, China, works on a sewing line. Most fast-fashion companies can offer cheap consumer prices because their products are made in places such as China and Bangladesh, where wages are low and regulations minimal.

(Getty Images/Costfoto/NurPhoto/Contributor)

The fashion industry itself is taking steps to help mitigate environmental and ethical concerns. For instance, the AAFA created the THREADS Protocol to guide legislators in developing regulatory frameworks with input from industry leaders and to ensure consistency across jurisdictions. 29

Both H&M and Inditex, Zara's parent company, have invested heavily in new technologies to improve textile recycling and introduce less-harmful fibers into their products, such as recycled polyester and Circulose, a semisynthetic cellulose fabric. 30

The Or Foundation recently negotiated an agreement with Shein, which pledged $50 million that will help

support infrastructure improvements to the Kantamanto market in Ghana and offset the financial burden of managing textile waste, Ricketts, the foundation's executive director, says. (See Short Feature, “Inside the Global Secondhand Apparel Trade.”)

Consumers also have a role to play. The longer a garment is worn, the lower its carbon footprint. Generation Z (born between 1996 and 2012) is leading a resurgence in thrifting and donations via online platforms such as DePop, where users can buy and sell secondhand and vintage items. Additionally, social media movements, such as #visiblemending, are helping people learn how to repair clothes and extend garments' lifespans. 31

Still, for consumers such as Sarkhedi, the lure of fast fashion may prove irresistible. After learning about the industry's harmful effects, he says his shopping habits are unlikely to change. “I now feel guilty, but I have no choice,” says Sarkhedi. “If fast fashion is degrading the environment so much, then the respective governments should take action on them. Why don't they?”

Background

Industrial Revolution and Textile Industry

Textile and apparel production has been associated with negative social and environmental impacts for centuries, from the cultivation of cotton by enslaved Africans to the exploitation of garment workers today.

Technological developments during the Industrial Revolution starting in the 1760s, such as the cotton gin and spinning jenny, moved garment manufacturing from an artisanal craft to a global industry with an international supply chain. They also led to worker revolt by the Luddites, who sabotaged textile machinery to protest the replacement of home-based work by skilled artisans with faster, lower-quality goods made by machines in factories. 32

Nearly a century later came the innovation of making and selling “ready-to-wear” clothing — initially used for mostly sailors and enslaved people. Before this, the majority of people had clothes made to measure by family or professionals or bought secondhand clothes. But the mass measurement of soldier uniforms for the U.S. Civil War led to the development of standard sizing, which drove broader adoption of pre-made clothing. 33

Utility nylon stockings being made at Ballito Hosiery Mills, St. Albans, England, in 1946. Nylon and other synthetic fibers were invented in the 1930s as cheap, disposable alternatives to costly, high-quality textiles.

(Getty Images/Keystone Features/George Konig)

While the Industrial Revolution led to economic hardship for some textile workers, it also helped create a new middle class with disposable income. By the 19th century, department stores and mail-order catalogues — with their majority female middle-class customers — changed the way people, especially women, bought clothes. 34

Women also got more involved in producing clothes. Textile mills and garment factories in urban centers offered employment for women and immigrants, but offered few protections for workers. In response, in 1900, women formed the International Ladies' Garment Workers' Union, which led strikes for better pay and safety. Support for the union grew after 146 workers, mostly women, died in the Triangle Shirtwaist Factory fire, which broke out in a cramped New York City garment manufacturing facility whose exit doors were locked. 35

The disaster drew greater national attention to the unsafe working conditions, long hours and poor wages for workers in garment factories, which helped pave the way for federal legislation, most notably the Fair Labor Standards Act of 1938, which mandated a minimum wage, a standard 44-hour work week (later reduced to 40 hours) and overtime pay. 36

Both world wars also had far-reaching effects on the U.S. textile and apparel industry, from restricting the availability of certain fabrics during wartime to shaping domestic manufacturing and international trade in the interwar period.

Legislators leaned into protectionist policies to reduce dependence on foreign goods and bolster U.S. production during this time. The Emergency Tariff Act of 1921 and the Tariff Act of 1930 both raised tariffs on foreign imports; the latter established a "de minimis" threshold under which foreign products may be imported without customs fees. 37

Consumerism and Textile Production Changes

Starting in the 1920s, shifts in consumer culture and the development of synthetic fibers foreshadowed today's fast-fashion market. Economists and business leaders embraced the idea that disposable consumer goods could spur economic development. 38

One of the first examples of this ideology came from the fashion industry: nylon stockings. Developed by DuPont as a cheap alternative to silk and rayon in the 1930s, nylon stockings were made from plastic poly-

mers and intended to be discarded and replaced when they inevitably got snagged and unraveled. 39

DuPont also brought elastane, also known as Spandex or Lycra, to market in 1959, revolutionizing apparel design by allowing designers to rely on stretchy synthetic rather than patterning and construction details to ensure proper fit. 40

The General Agreement on Tariffs and Trade, which regulated the inflow of cotton textiles from developing nations to the United States and Europe in the 1950s and 1960s, was extended in 1974 by the Multifiber Arrangement (MFA). This pact imposed quotas on other textile products flooding into America and Europe from emerging textile hubs in the Global South. (Initially intended as a short-term policy, the MFA was extended through various incarnations before being phased out in 2005.) 41

The growing use of synthetics helped enable brands such as Zara, founded in 1975, to create cheap replicas of runway styles at extremely low prices, dubbed “fast fashion” by *The New York Times* in 1989. 42

Starting in the 1980s, globalization and new trade policies, such as the 1993 North American Free Trade Agreement (NAFTA), made it more cost effective for U.S. and European brands to offshore textile and apparel production to countries with lower wages and fewer labor laws, such as Bangladesh, China, India and Vietnam. For many of those countries, this was the first step towards major industrialization and made it possible for them to participate more fully in global trade. 43

As overseas manufacturing grew, domestic textile manufacturing declined. Between 1990 and 2011, U.S. apparel manufacturing jobs declined by 80 percent. Meanwhile, Asia became the “garment factory of the world” between 2010 and 2019, producing 55 percent of the world's clothing and employing 60 million people, though mostly at low wages, for long hours, in harsh conditions and with a large gender pay gap. 44

The problem with such working conditions came to a head in 2013. The Rana Plaza factory in Dhaka, Bangladesh, collapsed, killing more than 1,100 people and injuring 2,500 more. The “deadliest recorded incident” of its kind, *Reuters* wrote, Rana Plaza prompted brands to voluntarily improve supply chain transparency and due diligence. Some insiders say it served as a wake-up call to the industry. 45

Rescue workers search for survivors in the collapsed Rana Plaza garment building in Dhaka, Bangladesh, in 2013, where about 1,100 people died. Some experts say the tragedy served as a wake-up call for the garment industry to better regulate its supply chains.

(AFP/Getty Images/Munir uz Zaman)

In the wake of the tragedy, many brands joined the newly formed International Accord for Health and Safety in the Textile and Garment Industry in Bangladesh, a voluntary but legally binding agreement, among 100 fashion brands and garment worker unions. 46

In 2020, another major event shook the fashion industry: the COVID-19 pandemic. Cramped sweatshops helped the virus spread among workers. Amid high numbers of job losses and public lockdowns, consumers had less disposable income, and those out of work, or working from home and avoiding social events, had less need for new clothing. This reduced demand, along with supply chain disruptions, led some brands to

cancel orders, cut pay for garment workers and shut down factories, exacerbating poverty concerns for the textile workforce. 47

Meanwhile, fast-fashion brands have capitalized on the growth of social media influencers in the past few years, partnering with them to promote products, and developing in-app shopping features. Companies are also doubling down on direct-to-consumer marketing. Fast-fashion brands have become marketing machines, Thomas says, compelling people to buy clothes they do not need and treat them as disposable. Shein has even been called out for using influencers to help improve its tarnished image amid several lawsuits and reports of nefarious business practices. 48

Chronology

1760s–1790s

Industrial Revolution kickstarts new textile inventions and technologies.

1764

English carpenter James Hargreaves mechanizes wool spinning with the invention of the “spinning jenny.”

1769

British entrepreneur Richard Arkwright patents the water frame, drastically reducing the time and labor required to spin cotton into thread.

1793

Eli Whitney invents the cotton gin to more efficiently separate cotton fiber.

1810s–1880s

Mass textile industry takes shape and creates the retail shopping experience.

1811

Textile artisans calling themselves “Luddites” lead two yearlong revolts across England against factories that rendered them obsolete.

1813

In Massachusetts, Francis Cabot Lowell and partners found the Boston Manufacturing Company, the first U.S. mill to centralize all textile production, establishing an industrial model. Hundreds of other textile mill cities form in New England and the South in the following years.

1846

French scientist Hilaire de Chardonnet develops viscose, a semi-synthetic fiber made from chemically treated wood pulp as an alternative to costly silk.

1850

More than half of the 3.2 million people enslaved in the United States are engaged in cotton production on plantations to help meet the demands of the nation's booming tex-

tile industry.

1851

Isaac Singer patents the first commercially viable sewing machine.

1852

Le Bon Marché Rive Gauche, the world's first department store, opens in Paris.

1861

During the Civil War, soldiers are outfitted in mass-produced uniforms, beginning the “ready-to-wear” clothing movement in the United States that grew after the war ended in 1865.

1880

Largely pioneered by German-Jewish immigrants, the women's ready-made clothing market sees an influx of capital investment and expands to include more than 1,200 manufacturers by the end of the decade.

1900s–1940s

Labor laws and unions help improve conditions for garment workers.

1900

The International Ladies' Garment Workers' Union is founded.

1911

A fire at the Triangle Shirtwaist factory in New York City kills 146 workers due, in part, to crowded conditions and locked exits.

1930

Congress passes the Tariff Act of 1930 to increase duties on foreign goods, while establishing a “de minimis” threshold that allows imports under a certain value to enter the country for free.

1933

President Franklin D. Roosevelt's National Industrial Recovery Act becomes law and gives workers the legal right to unionize and engage in collective bargaining.

1935

DuPont scientist Wallace H. Carothers develops the synthetic plastic-based fibers nylon and polyester, which are easier and cheaper to produce than traditional textile materials.

1938

The Fair Labor Standards Act mandates workplace protections, such as standard hours and minimum wages.

1941

Congress passes the Berry Amendment requiring the Department of Defense to pur-

chase textiles and shoes that are entirely U.S. made for service members.

1947

The General Agreement on Tariffs and Trade (GATT) is enacted, regulating the inflow of cotton textiles from developing nations to the United States and Europe…. Erling Persson opens Hennes, the predecessor of fast-fashion brand H&M, in Västerås, Sweden.

1950s–1980s

Fashion brands shift toward using synthetic fibers and offshore manufacturing.

1951

Chemical engineering company DuPont introduces polyester, a plastic polymer-based fiber, to the market.

1956

Southdale Shopping Center, the first indoor shopping mall, opens in Edina, Minn., with 72 stores.

1959

DuPont invents Spandex, a stretchy synthetic that revolutionizes how clothing is designed and constructed.

1966

As secondhand clothing exports from the Global North to low-income nations increase, the Philippines passes the Republic Act, banning the importation of used clothing.

1974

The Multifiber Arrangement (MFA), an extension of GATT, protects U.S. and European textile industries by imposing quotas on synthetic textile product imports primarily manufactured in the Global South.

1975

Amancio Ortega and Rosalia Mera create Zara in Galicia, Spain, selling knock-off versions of high-end looks.

1980s

Fashion companies move their manufacturing operations to countries such as China and Bangladesh for cheaper wages and looser government regulations.

1989

The New York Times coins the term “fast fashion” in an article about Zara opening its first U.S. store.

1990s–2000s

Online shopping and fashion e-commerce industry begins.

1994

The North American Free Trade Agreement (NAFTA) goes into effect, removing tariffs for yarn, textiles and apparel produced in Canada and Mexico to the detriment of U.S. manufacturers.

1998

European company Boo.com becomes the first popular fashion e-commerce website, selling common designer brands. Many other competitors soon follow.

2000

Natalie Massenet founds Net-a-Porter, a luxury fashion e-commerce retailer.

2005

The MFA is abolished, leading to an increased flow of textile and apparel products, particularly from China, Bangladesh and Vietnam, into the United States and Europe.

2008

Entrepreneur Chris Xu founds Shein, an online direct-to-consumer fast-fashion apparel company.

2010s–2023

Movement for greater industry oversight grows, fast-fashion brands expand market share.

2010

The photo-based social media platform Instagram launches, which reshapes how brands interact with and market to consumers and sparks fashion influencer culture.

2013

The Rana Plaza commercial building in Dhaka, Bangladesh, that housed several garment factories collapses, killing more than 1,100 people. The disaster ignites calls for reform and promises of changes by the fashion industry…. The International Accord for Health and Safety in the Textile and Garment Industry, a voluntary but legally binding agreement, is established between fashion brands and labor unions to improve and ensure safety standards in textile factories.

2016

President Obama enacts law raising the de minimis threshold for foreign imports to $800, allowing fast-fashion companies to ship low-cost apparel directly to U.S. consumers.

2020

The COVID-19 pandemic hits, reducing industry customer demand, leading some brands to cancel orders, reduce worker pay and close factories abroad. Cramped and poorly ventilated factory conditions aid the spread of the virus among workers.

2021

California enacts a law mandating a minimum wage for garment workers…. Former New York Democratic state Sen. Alessandra Biaggi introduces the Fashion Sustainability and

Social Accountability Act that would force major fashion brands operating in New York to map their supply chains and monitor their climate impact…. Congress passes the Uyghur Forced Labor Prevention Act, which prohibits the importation of goods in China produced using forced labor.

2022

Sen. Kirsten Gillibrand, D-N.Y., introduces the FABRIC Act, which would require fashion companies to register with the Department of Labor and pay garment workers a minimum wage, abolishing per-piece payment…. E-commerce fast-fashion retailer Temu is founded in Boston, an offshoot of Chinese company PDD Holdings…. Shein accounts for nearly one-fifth of the global fast-fashion market.

2023

Workers in Bangladesh strike for living wages after an insufficient national minimum wage increase…. California Democratic state Sen. Josh Newman introduces the Responsible Textile Recovery Act of 2023, which would require fashion companies doing business in the state to create plans for recycling their products…. Rep. Earl Blumenauer, D-Ore., introduces the Import Securities and Fairness Act to prevent Chinese and Russian companies from utilizing the de minimis exception and mandate that U.S. Customs gather additional information on de minimis shipments…. Shein files with the Securities and Exchange Commission to become a publicly traded company…. H&M and a group of California designers separately sue Shein over intellectual property and copyright infringement…. A congressional investigation concludes that Shein and Temu very likely have forced labor in their supply chains…. The EU Parliament proposes a ban on importing products made with forced labor.

Current Situation

U.S. Actions

Some federal lawmakers are looking to overhaul the U.S. de minimis trade rule. This allows companies to import goods valued at less than $800 without going through the customs oversight process, paying duties or disclosing detailed information about products. Critics say foreign e-commerce retailers, including Shein, are taking advantage of the rule by shipping small-batch orders directly to online shoppers, unlike traditional retailers who import in bulk to warehouses for distribution. 49

Last year, two bipartisan bills were introduced that took aim at the de minimis rule: the Import Security and Fairness Act and the Foreign Pollution Fee Act. The latter is a rare Republican climate bill that calls for fees on imports produced with a greater “pollution intensity” than domestic counterparts, both of which apply to many fast-fashion brands. 50

The Import Act proposes banning companies based in China and Russia from using the de minimis loophole and requiring the U.S. Customs and Border Protection to collect more information on these shipments, such as the country of origin and product description. Rep. Earl Blumenauer, D-Ore., co-sponsor of the bill, said the measure would also help shut down a loophole that permits products made with forced labor from entering U.S. borders. 51

Meanwhile, the House Select Committee released a report in June rebuking Shein's use of the de minimis rule, saying the company uses it to avoid customs fees and package screening for compliance with the Uyghur Forced Labor Prevention Act, which prohibits the import of goods in China produced using forced labor. 52

The report also concluded that Temu and Shein very likely had forced labor in their supply chains, an allegation that Shein denied. “We are committed to respecting human rights and adhering to local laws and regulations in each market we operate in,” the company told *CNBC.* “Our suppliers must adhere to a strict code of conduct that is aligned to the International Labour Organization's core conventions. We have zero tolerance for forced labor.” 53

In August, 16 state attorney generals released a statement to the U.S. Securities and Exchange Commission

(SEC), which conducts federal market oversight, to express concern about Shein's then-probable initial public offering (IPO), which allows private company shares to be sold to the public. The statement cited “nefarious business practices” and the likelihood of human rights violations in its supply chain. A few months earlier, a bipartisan group of more than 20 congressional representatives urged the SEC to demand Shein independently verify that it does not use forced labor before it can issue securities. However, Shein filed for an IPO at the end of 2023 without the SEC issuing such a requirement and is expected to go public later this year. 54

Pedestrians walk past an H&M store in Hong Kong last year. The fast-fashion outlet sued its rival Shein for copyright infringement, alleging it replicated some of H&M's designs.

(AFP/Getty Images/Isaac Lawrence)

Several lawsuits were filed against Shein in 2023. In July, H&M sued the company for copyright infringement, accusing it of copying H&M designs in 2021. That same month, three designers in California accused Shein

of using proprietary algorithms and artificial intelligence to scrape the web for artists' designs and copy them, which are legally viewed as intellectual property. 55

(*See* CQ Researcher*'s report on Artificial Intelligence and Intellectual Property for more information.*)

At the state level, two bills are drawing the most attention:

- California's Responsible Textile Recovery Act, introduced in March 2023, would force fashion brands to be responsible for managing and recycling their textile waste. A vote on the bill was delayed to 2024, allowing time for AAFA and other stakeholders to give legislators feedback. 56
- New York's Fashion Act, introduced in 2022 and revised in early 2023, would require fashion brands with more than $100 million in annual global revenue that operate in New York to map at least half of their supply chains, monitor and report on their productions' climate and social impacts and disclose production volumes, among other requirements. Noncompliance would result in a fine of 2 percent of their annual revenue. Almost every major international fashion brand would fall into this category, including fast-fashion giants. Currently, the bill is being debated by the Consumer Protection Committee in the state Senate. 57

Global Actions

In 2023, the EU Commission introduced new policies that complement and extend the pre-existing plans and frameworks of the European Green Deal, which aims to make Europe the first carbon-neutral continent by 2050, and to reduce textile waste and hold brands, especially fast-fashion brands, accountable for their environmental impact. Such initiatives include: 58

- Requiring companies to label their products with their environmental impact.
- Launching a Digital Product Passport to allow consumers to look up detailed information about products' carbon footprint, material composition and recyclability.
- Mandating that brands that sell to EU customers pay to dispose of their textile waste. 59

Unlike the United States, the EU does not currently have any laws banning products made by forced labor. However, after a recent EU investigation revealed a "substantial volume" of clothing production today incorporates forced labor, the EU Parliament in October proposed a ban on such products and a framework for investigating those types of labor violations. As of late January, EU leaders were in final negotiations over

adopting the measure. 60

In 2023, France, Germany and the Netherlands all passed extended producer responsibility (EPR) legislation, which makes brands responsible for more of the production life cycles of their products. The French and Dutch laws both require brands to manage the collection and recycling of textile waste; the French law explicitly bans destroying unsold merchandise. Meanwhile, Germany's Supply Chain Due Diligence Act, which went into effect in January 2023, requires companies with more than 3,000 employees to monitor their supply chains and establish grievance mechanisms for workers to report violations. 61

Some labor experts are critical of the new laws.

Though she acknowledges the EU legislation is important, Miedema of the Clean Clothes Campaign says, “it also has major flaws.” For example, the German law only applies to large companies even though small- and medium-sized companies also have violations in their supply chain, she says.

Others argue that European policymakers are not sufficiently tuned in to the needs and realities of people in the Global South whom these laws will also impact, Ricketts says. She recently took a delegation of workers from Kantamanto to meet with European legislators to discuss this issue. “The conversation should include everyone, all countries. Everywhere that clothes go to, the [EPR] policies should include them,” said Patrick Abesiyine Anyebuno, a member of the Kantamanto delegation. 62

Benjamin Powell, director of the Free Market Institute, an economic think tank at Texas Tech University, says laws that force excessive supply chain transparency could negatively impact the very garment workers they are intended to help. “If that shining transparency [makes brands say], ’We don't want to source from Bangladesh, because we don't like the working conditions there,’ that's going to be throwing people into worse poverty” due to job loss, Powell says.

Some 25,000 garment workers protested for higher wages in Dhaka, Bangladesh, in November after the government offered a raise that fell far short of demands. Some of the protests were met with violence from police that resulted in several workers being killed.

(Getty Images/NurPhoto/Kazi Salahuddin Razu)

Miedema agrees. “[B]rands will move to another country if labor laws are laxer or wages are lower,” she says, but argues brands should do more to mitigate that risk. “They really need to step up and live up to the promises on their websites about living wages, about labor rights and speak up if a minimum wage change is due in a certain country rather than keeping silent, as has happened in Bangladesh recently.”

In November 2023, roughly 25,000 garment workers in Bangladesh, the second largest exporter of textiles and apparel after China, protested after the government increased their minimum wage to $113 per month — well short of the $208 per month called for by labor unions to maintain basic livelihoods. (There are an estimated 4 million garment factory workers in the nation, the majority of them women.) 63

Strikes and protests were met with police violence, and some factory owners brought criminal charges against employees or fired them. Several garment factory workers were killed during the clashes. 64

In December, progressive U.S. lawmakers wrote to the AAFA, urging members to pressure their suppliers in Bangladesh to pay fair wages and increase their own purchasing prices accordingly "to fully absorb the additional labor costs," which the AAFA agreed to do. 65

Short Features

Inside the Global Secondhand Apparel Trade

Debate continues on whether exporting used clothing to the Global South should be banned.

When Liz Ricketts moved to Accra, Ghana, in 2011 to work with a local sustainable fashion designer, she reveled in the bustling energy of the Kantamanto market, one of the world's largest used-clothing markets. Then the market started to change.

"Before, it kind of felt more like the thrill of the thrift. You would find some really unique and exciting pieces," says Ricketts, who worked in the U.S. fashion industry before moving to Ghana. Now, she says, its vibrancy is diminishing due to the low-quality clothing being imported.

With the rise of fast fashion, used clothes exported primarily from China and the United States to the Global South are increasingly unsellable by local traders — who buy used clothing in bales and discover their condition afterward — due to their overwhelmingly cheap, low-quality material and construction, making the clothes more prone to rips and tears.1

Today, 40 percent of clothes imported into Ghana are unfit to sell, making the secondhand trade increasingly precarious for the importers, vendors and porters who work in it. The glut of poor-quality garments also creates waste management problems for local communities.2

A vendor sells used clothes discarded from wealthy countries at the Makola market in Accra, Ghana. Vendors buy bales of secondhand apparel only to find that much of it — low-quality fast-fashion products — cannot be resold because of its cheap construction.

(AFP/Getty Images/Nipah Dennis)

“The goods that are coming now are really affecting our business,” one Kantamanto market trader told *Deutsche Welle*.[3]

These factors have led some textile industry experts and policymakers to call for government bans on secondhand imports. U.S. net exports of used clothes reached $585 million in 2020 — nearly 50 percent more than China, the world's second-largest exporter.[4]

In general, clothes enter the secondhand supply chain in two ways: retailers are unable to sell them, or people no longer want to wear them.

Fashion retailers deem surplus stock from overproduction or slow sales, as well as items received through

take-back programs or customer returns, as “deadstock.” Thrift stores and charity shops, meanwhile, are only able to sell a fraction of the clothes that people donate to them — as little as one-tenth, according to some experts.[5]

The specific details of what happens next can vary according to retailers and their locations. For example, in the United States, Goodwill donation stores send their unsold items to their wholesale outlets, where some are sold in bulk and at lower rates. “Anything left over from outlets is sold in bulk as salvage where the materials are sorted into categories such as resale, recycling, downcycling and export,” according to *The Washington Post*, also noting that Goodwill works with domestic salvage buyers and does “not directly send products overseas.”[6]

Thrift stores that do send clothing overseas pack unsold garments into shipping bales for export to countries such as Ghana and Pakistan, the top two importers of used clothing. Ghana receives more than 15 million secondhand items per week, most of which goes through Kantamanto.[7]

According to The Or Foundation, a nonprofit focused on reducing textile waste and improving textile worker conditions in Ghana, the country's secondhand apparel trade, the result of talks between the Ghanaian Trade Mission and U.S. business leaders, dates back to the 1960s, when shopping malls started to become popular.[8]

Retail industry shifts in the Global North have long shaped the global secondhand textile and apparel market. The industry took off after World War II, when surplus military uniforms were shipped from the Global North to Africa, creating a precedent for the donation of secondhand garments from richer nations to poorer countries. Charity institutions facilitated this secondhand trade until the 1980s, when for-profit importers took over once they saw a market opportunity to make money by managing the rising flow of secondhand apparel into developing nations.[9]

Around the world, clothing that secondhand sellers throw away creates environmental problems for the communities around them. “Around 30 percent of used clothes exported are directly incinerated or landfilled at the destination, with little accountability,” Lewis Akenji, managing director of the Hot or Cool Institute, a Berlin-based think tank focused on science and sustainability, wrote in an op-ed for *Reuters.*[10]

For example, in Chile, more than 740 acres of Atacama Desert dunes are now a dumping ground for textiles. The area is so large that it is visible from space and has prompted an investigation by the United

Nations.[11]

Opponents of secondhand clothing imports, such as Akenji, who supports an outright ban on the practice, argue that the trade threatens domestic textile and apparel industries by creating a reliance on imported clothing, rather than encouraging local manufacturing.

Several countries have enacted import bans over the years, but those policies are not always enforced or abided by.

For example, the Philippines prohibited secondhand textile and apparel imports in 1966, but the law is not well enforced. The trade has also continued illegally in Indonesia, which banned secondhand apparel imports in 2015, leading government officials to destroy more than $5 million worth of used clothes illegally imported last year.[12]

In some cases, exporters block ban attempts. In 2016, members of the East African Community, a regional association of partner states, moved to ban secondhand clothing imports from the United States. The administration of then-President Donald Trump opposed the ban after a U.S. Trade Representative review found it would harm U.S. textile trade and investment. Instead, the White House threatened to re-evaluate the association's eligibility of duty-free imports under the African Growth and Opportunity Act, a 2000 law aimed to cultivate economic relations with America and sub-Saharan Africa. Every country but Rwanda caved to the threat, and the proposed ban was dropped.[13]

Two-thirds of people in East Africa buy their clothes secondhand, according to the most recent data available in a 2017 report from the U.S. Agency for International Development, which administers aid programs to benefit developing nations.[14]

Despite public popularity, Ugandan President Yoweri Museveni announced in August his intention to ban used clothing imports to support locally made clothing, despite the outcries of vendors and shoppers at the Owino secondhand market in Kampala. Museveni called on Ugandans to stop wearing used clothing “from dead people.” (The Akan expression “Obroni Wawu,” which commonly refers to secondhand clothing in Ghana, roughly translates to “dead white man's clothes”.) A legal measure is needed to turn his proposal into law, and trade authorities have yet to back it.[15]

Not everyone agrees a ban is the right move. In a September 2023 Instagram post, The Or Foundation stated it does not support a ban on secondhand clothing imports in Ghana because of the negative impact

it is likely to have on the estimated 30,000 people currently employed in the trade.16

Instead, the foundation called on fast-fashion brands to invest in voluntary extended producer responsibility funds to offset the costs of running what *The Business of Fashion* called "a proxy waste management system," which benefits fast-fashion brands and holds diminishing returns for secondhand clothing traders.17

E-commerce fast-fashion retailer Shein responded to the foundation's plea first, investing $50 million dollars that Ricketts, The Or Foundation co-founder and executive director, says will be used, in part, to improve infrastructure at Kantamanto and, hopefully, help reinvigorate the market.

—

- Ruth Terry

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Pro/Con

Should the fast fashion industry be more tightly regulated?

Pro

Christie Miedema

Campaign and Outreach Coordinator, Clean Clothes Campaign. Written for *CQ Researcher*, February 2024

Garment companies, from fast fashion retailers to high end brands, all profit from a system in which workers are underpaid, overworked and unprotected. Since the mid-1990s, brands have publicly promised to improve this system. Yet in reality, not much has changed. Brands say they can't do it on their own. Only binding rules and agreements that force brands to take action will change the industry.

Let's go back to what has been labeled the “wake up call” for the (fast) fashion industry: The Rana Plaza building collapse in Bangladesh in 2013 that killed 1,138 people. This massive human tragedy led to pledges across the industry to do better. If we look at the root causes of this disaster, they are a cross section of the problems that haunt the industry:

Ten years later, the only tangible result is a legally enforceable accord between brands and unions to make factories safer — which unions and labor rights groups had been advocating for years. When Rana Plaza collapsed, more than 200 brands felt they could no longer ignore this proposal and worked together to improve factory safety tangibly.

Promises to address other root causes of the Rana Plaza tragedy turned out to be empty if not backed by legal consequences. Last year's minimum wage revision in Bangladesh disregarded unions’ modest demands, settled on a poverty wage of $113 USD per month and unleashed intense repression on protesting workers. Garment brands had been called upon to express their support for the workers’ wage demands, but remained silent.

As long as brands aren't forced to act through legislation or binding agreements, they will hide behind each other. A telling example is H&M, which pledged to pay all workers in its supply chain a living wage within five years after the Rana Plaza collapse — and never delivered on it, saying “We don't want to create an isolated bubble of fairness.” Brands must be forced to act together by law or binding agreement — or they will not act at all.

Con

Benjamin Powell

Senior Fellow at the Independent Institute, Director of the Free Market Institute, Professor of Economics at Texas Tech University, Author of *Out of Poverty: Sweatshops in the Global Economy*. Written for *CQ Researcher*, February 2024

The fast fashion industry should not be more tightly regulated, because the regulations advocated for in the name of helping poor garment workers in Third World countries would harm those very workers.

Garment workers in the fast-fashion industry often work for wages that are much lower than wages in countries where the garments are sold. They are also often produced under unsafe, unpleasant working conditions. However, the fact that workers choose these jobs indicates the workers believe these jobs are their least bad option.

Regulations may improve wages and working conditions for some people, but it will also raise the cost of labor and lead profit-maximizing firms to employ fewer workers in these poor countries. That means throwing workers back into worse alternatives — often a return to rural subsistence agriculture or the informal sector.

Worker compensation is limited by the worker's productivity — what they contribute to the firm's revenue. Wage regulations risk raising compensation above the productivity of some workers. Profit-maximizing firms lay off workers that cost more than the revenue they generate. Similarly, safety mandates raise the cost of hiring workers and result in job losses.

After the deadly 2013 Rana Plaza factory collapse, Bangladesh substantially raised its minimum wage for garment workers and international brands created the International Accord for the Health and Safety in the Textile and Garment Industry and the Alliance for Bangladesh Worker Safety agreements to improve safety standards. These brands required source factories to pass independent safety audits and boycotted firms that did not comply.

In a recent study, co-authors and I found the Rana Plaza responses led to 28 percent less employment in the garment industry and one-third fewer garment factories. Those jobs had been a significant step up from Bangladesh's pervasive poverty. In another study, we found that wages in Bangladeshi firms singled out in the press as harmful “sweatshops” averaged $6 per day during the 2010s. During that same period, nearly 87 percent of Bangladesh's population lived on less than $6.85 per day, and 52 percent lived on less than $3.65.

Garment industry sweatshops are not new. They existed in 19th century Great Britain and the United States and mid-20th century Hong Kong and Taiwan, among many other places. The market's competitive process that leads to broad-based development has allowed countries to improve wages and working conditions. That same process will improve the well-being of workers in the fast fashion industry today, but regulations could slow that process and make these workers worse off.

Discussion Questions

Here are some issues to consider regarding fast fashion:

- Do you buy from fast-fashion brands? Why or why not?
- What are some of the issues within the fast-fashion supply chain, and why is it hard to regulate?
- Fast-fashion products are more affordable but also more cheaply made. What are some of the environmental and social impacts of this industry?
- What was the Rana Plaza collapse, and what came out of it?
- The amount of unusable textile waste has grown due to fast-fashion production. How are lawmakers aiming to hold brands more accountable?

Outlook

“The Industry Is at a Tipping Point”

Despite the recent efforts by policymakers to better regulate fast-fashion brands, experts have mixed opinions on whether the industry will trend toward more ethical and sustainable business practices over the next decade.

“In the next five years, we expect to see deeper collaboration and commitment to build holistic, regenerative solutions that respect people and planet — reorganizing systems to create a greener, cleaner and fairer world for everyone,” Andrew Martin, executive vice president of the Sustainable Apparel Coalition, says. “With the industry at a tipping point and meaningful regulation on the horizon, companies can no longer afford to conduct business as usual and will need to evolve if we are to reverse the worst impacts of climate change.”

“The general trend is making sure that the supply chains are ethically functioning,” says Çiğdem Çimrin, a lawyer with Minerva, a labor rights advocacy group in Istanbul.

As some brands pull out of China because of its poor human rights record, Çimrin says, there may be more

opportunities for countries such as Türkiye, already a leader in garment manufacturing, to step into the space, if they align with environmental and human rights standards.

Others want to see more growth in the sustainable apparel space. “I'm hoping that there'll be more support for small, independent, slow-fashion companies like there's been a lot more support for farm-to-table restaurants in the food industry,” Thomas says.

Moving into the next decade, Ricketts of The Or Foundation would like to see people focus more on ensuring basic necessities and human rights. “We could flip excess on its head … just focus on how we keep this stuff in circulation, resell it, repair it, find more joy in having a deeper relationship with our stuff,” she says, “Ultimately, when we ask people to buy less, we are trying to invite them to have a more enriching experience to do other things.”

But Stella Faith, a U.S. expat in Türkiye who owns Moda Etik, a small eco-friendly fashion brand, says she does not think people will ever stop buying fast fashion. “People love trends; they love fancy things, cute things,” Faith says. “So, until there's a sustainable way to be cool, and not be bored with your clothes, I think that's it.”

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About the Author

Ruth Terry, is a Black and Puerto Rican American freelancer based in Istanbul. She earned a master's of

public administration and worked in nonprofit fundraising before transitioning to journalism in 2010 — a career shift that began with a nonprofit best practices column for a regional business magazine. Since then, Ruth has written about food, culture, race and travel for national and international outlets, including *Al Jazeera, National Geographic, Nature, The New York Times, The Washington Post* and *Time.* Her most recent *CQ Researcher* report was on teaching about racism.

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