

## Alert | International Trade



June 2019

### Section 301 Exclusion Request Process Announced for Third Round of Tariffs on China

On June 24, 2019, the **United States Trade Representative (USTR)** announced the process for seeking exclusions from additional 25% tariffs imposed under section 301 of the Trade Act of 1974 on the third list of products from China (List 3) targeted by the Trump Administration. The goods included on List 3 have an import value of approximately \$200 billion. The 25% tariffs apply to List 3 goods exported from China on or after May 10, 2019. (Covered goods shipped before May 10 and entered the United States before June 15, 2019, remain subject to the **10% section 301 tariff put into place Sept. 21, 2018.**)

USTR will open a web portal for the submission of List 3 exclusion requests on June 30, 2019, at 12 p.m. EST at <http://exclusions.USTR.gov>. This differs from the exclusion process for Lists 1 and 2, which were conducted through the regulations.gov website. As with Lists 1 and 2, List 3 exclusion requests must be submitted using the form provided by USTR. A facsimile of the form, detailing the required information, is attached to the June 24, 2019 Federal Register notice. We would note that USTR is requesting more information on the List 3 exclusion forms than it did on forms for List 1 and 2 exclusions.

The deadline for submitting List 3 exclusion requests is **Sept. 30, 2019**. Those wishing to respond to an individual request will have 14 days after the request is posted to the USTR online portal.

USTR has acknowledged that the exclusion process for List 1 and 2 goods has been very slow, and has stated it is assigning additional staff to expedite the review process.

Greenberg Traurig's **International Trade Practice** is experienced in navigating the section 301 exclusion process and can assist in preparing and filing List 3 exclusion requests.

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