



## EXTENSIONS OF CHINA SECTION 301 LIST 1 PRODUCT EXCLUSIONS MARCH 2, 2020

On March 2, the U.S. Trade Representative (USTR) issued a [Notice](#) that announced the process for requesting extensions to the China Section 301 List 1 product exclusions that were granted on May 14, 2019 and are due to expire May 14, 2020. Requests for extensions may only be submitted for a short thirty (30) day period beginning March 12, 2020 and ending April 12, 2020. This USTR Notice raises several issues and concerns:

- The extension process applies only to the List 1 China Section 301 product exclusions granted on May 14, 2019. These exclusions cover forty (40) products/product categories covering five (5) entire 10-digit HTS provisions and thirty-five (35) product-specific descriptions. Covered merchandise includes certain outboard motors, forklift trucks, pressure reducing valves, roller or vibrating conveyors, electric motors, push-button switches, etc. Expect similar notices for other China Section 301 product exclusions before those exclusions expire.
- Whether or not a company requested a product exclusion, China Section 301 product exclusions are available for all merchandise meeting the product exclusion description. Therefore, a company may request extension of a product exclusion even if the company did not request the initial exclusion.
- Companies and other interested parties may file comments in support of – or in opposition to – extending an exclusion.
- Extensions are not guaranteed or even likely. In a prior review, the USTR only extended six (6) of thirty-one (31) product exclusions.
- The extension process uses forms that are different from the initial List 1 product exclusion requests. Required information includes whether merchandise is available in the U.S. or third countries, the quantity of merchandise sourced from China or domestic sources, and the economic harm to U.S. companies from these increased duties. The USTR also seeks information on whether Chinese suppliers have lowered prices in response to product exclusions.

Clients using an exclusion are encouraged to request an extension by April 12 to preserve the exclusion. Please contact [Marshall Miller](#), [Brian Murphy](#), [Sean Murray](#), or [Ryan Thornton](#) with questions or for assistance in filing extension requests. Contact [Ryan Thornton](#) for our proprietary China Section 301 spreadsheet list of all exclusions.

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