



INITIAL PRODUCT EXCLUSIONS — CHINA SECTION 301 LIST 2 AUGUST 1, 2019

On July 31, 2019, the United States Trade Representative (USTR) [announced](#) the first set of approved product exclusions from the 25% China Section 301 List 2 duties. These product exclusions are set forth in 69 new specific product descriptions. They include certain polyethylene films, engines, rotary tillers, drill presses, bearing housings, electric motors, thermometers, motorcycles, and pet training devices.

These product exclusions from the 25% China Section 301 List 2 duties are available for any importer for any product that falls within the specially-prepared product description and enumerated ten-digit HTSUS classification. This is true regardless of whether the importer filed an exclusion request. All China Section 301 List 2 product exclusions are retroactive to August 23, 2018.

On September 18, 2018, the USTR published notice outlining the product exclusion process for China Section 301 List 2 and required submission of requests no later than December 18, 2019. The USTR is expected to approve additional product exclusions on an on-going basis.

Clients may benefit through filing Post-Summary Corrections or Protests for those entries now covered by a List 1 or List 2 product exclusion to secure refunds plus interest. Clients may also avoid future China Section 301 duties for merchandise within the scope of the product exclusions. Clients may contact [Ryan Thornton](#) to obtain an updated comprehensive spreadsheet we have prepared of all product exclusions for China Section 301 duties to date.

Please contact [Marshall Miller](#), [Brian Murphy](#), [Sean Murray](#), or [Ryan Thornton](#) with questions or for assistance.

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