



INITIAL PRODUCT EXCLUSIONS - CHINA SECTION 301 LIST 3 AUGUST 5, 2019

On August 5, 2019, the United States Trade Representative (USTR) [announced](#) the first approved product exclusions from the China Section 301 List 3 duties. These product exclusions are set forth in 10 new product-specific descriptions. They include certain plastic containers, shopping carts, inflatable kayaks and boats, high tenacity polyester yarn, and pet cages.

These product exclusions from the China Section 301 List 3 duties are available for any importer for any product that falls within the special product description and enumerated ten-digit HTSUS classification. This is true regardless of whether the importer filed an exclusion request. Clients may also benefit through filing Post-Summary Corrections or Protests for those entries now covered by a List 1, 2, or 3 product exclusion to secure refunds plus interest. All China Section 301 List 3 product exclusions are retroactive to September 24, 2018.

The speed of the approvals is surprising because the product exclusion process just started on June 30 and the exclusion requests may still be filed through September 30. On June 24, 2019, the USTR published a notice outlining the product exclusion process for China Section 301 List 3. For those clients affected by the 10%/25% China Section 301 List 3 duties, the deadline for filing product exclusion requests is September 30, 2019.

Clients may contact [Ryan Thornton](#) to obtain an updated comprehensive spreadsheet we have prepared of all product exclusions from 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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