



UPDATED PRODUCT EXCLUSIONS—CHINA SECTION 301 LIST 3 NOVEMBER 27, 2019

On November 26, the U.S. Trade Representative (USTR) [announced](#) the latest round of approved product exclusions from China Section 301 List 3 duties. These product exclusions are set forth in thirty-two (32) new product-specific descriptions. They include certain electric lamps, steel pipe sleeves and elbows, sodium metal, graphite sheets, curtain rods, vacuum cleaners, starter motors, bicycles, canoes, folding furniture, and even lollipops (i.e., “candy lollipops, not containing cocoa, such goods put up for retail sale in packings in the form of a larger plastic lollipop, each comprising a spheroid container with a major axis of 14 cm and a minor axis of 11 cm, with a plastic stick measuring 22 cm in length inserted in the bottom of the container, with the container portion wrapped in printed plastic film cinched at the container’s bottom by a printed hang tag”). As demonstrated by this description of excluded lollipops, it is important and necessary to carefully consider the language of each exclusion.

The product exclusions from the China Section 301 duties are available for any importer for any product that falls within the special product descriptions and enumerated ten-digit HTSUS classifications. 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 3 product exclusion to secure refunds plus interest. These List 3 product exclusions are retroactive to September 24, 2018 and effective until August 7, 2020.

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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