



CHINA SECTION 301 PRODUCT EXCLUSION REQUEST OPPORTUNITY (October 15, 2024)

On October 15, the U.S. Trade Representative (USTR) posted a [Notice](#) announcing opening of an electronic [comments portal](#) to file product exclusion requests for certain machinery used in domestic manufacturing classified in 317 8-digit HTSUS subheadings from the China Section 301 duties. Eligible 8-digit provisions are provided in [Annex E](#) of a September 18 [Federal Register](#) Notice. [See](#) an earlier [What's New](#) for more information. The exclusion request period is open from October 15 to March 31, 2025.

Product exclusion requests must identify the following details on the specific manufacturing equipment:

1. 10-digit HTSUS classification,
2. Detailed description, such as dimensions, weight, material composition, etc.; whether it is designed to function in or with a particular machine (application), its principal use, unit value, and physical features that distinguish it from other equipment classified in same 10-digit HTSUS classification; and images, specification sheets, CBP rulings, court decisions and import documents may support the request.
3. If subject to antidumping/countervailing duties (AD/CVD),
4. Whether and how it will be used for domestic manufacturing, and the manufacturing sector,
5. Any grant funding from, or grant application to, a federal investment program related to the domestic manufacturing at issue, such as the Inflation Reduction Act (IRA), CHIPS and Science Act, Build America Buy America (BABA), and Rural Energy for America Program (REAP),
6. If it, or comparable manufacturing equipment, is available from U.S. sources or third countries and any attempts to source the manufacturing equipment from the United States or third countries,
7. Whether the requesting organization has purchased the manufacturing equipment from a U.S. source or third country in the past 5 years and why the manufacturing equipment is no longer available from this source,
8. Whether the manufacturing equipment is strategically important or related to "Made in China 2025" or other Chinese industrial programs.

Business Confidential Information (BCI) may be submitted for certain data fields. Requests are subject to public comment. Interested persons have 30 days to respond to exclusion requests in the comments portal, indicating support or opposition. Exclusion requestors may file replies within 15 days of response posting or after closing of 30-day response period. Product exclusion requests may only cover one product, with separate requests required for more than one product.

Approved product exclusions will be effective from the date of publication of the exclusion determination in the Federal Register and will extend through May 31, 2025. USTR is accepting exclusion requests on a rolling basis through March 31, 2025 and will periodically announce decisions on exclusion requests.

Please contact [Brian Murphy](#), [Sean Murray](#), or [Marshall Miller](#) with questions or for assistance in filing product exclusion requests.

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