2019 Mid-Summer Trade Update
2019暑期贸易观察

With the summer of 2019 quickly drawing to a close, trade issues between US and other countries remain hot topics in the media around the world. While government-friendly media outlets in both the U.S. and China warn of the other's weakening economy and domestic troubles, industries in both countries struggle to plan for the future. With the recent starts and stops in the U.S./China trade talks continuing to frustrate those of us watching closely, the DW China Team thought we would review some of the other popular trade issues that affect international trade for companies in both the US and China.

随着2019年夏天即将过去，美国和其他国家之间的贸易问题仍然是全球主流媒体的热门话题。虽然美中两国的政府性媒体都指出对方所存在的经济疲软和国内问题，但两国民间都在努力规划着未来。随着美中两国之间近期贸易对话的频繁进行和中断使密切关注此话题的人们感到些许沮丧，迪克森中国团队将与大家一起回顾一些影响美国和中国公司国际贸易往来的热门贸易话题。

US-China: First Round Trade Talk after G20 Held in Shanghai and Negotiations to Continue in Washington D.C. in September
美国-中国：G20峰会后中美两国在上海举行了第一轮贸易对话；双边谈判将于9月在华盛顿特区继续进行

As the heatwave is crossing the United States and China, trade tensions finally cooled down once again between the US and China, following a high-stake meeting between President Trump and President Xi on the sidelines of the G-20 summit in Japan at the end of June. The fairly anemic truce remains fragile and subject to the U.S. President's perception that progress is being made during this coming round of bilateral trade talks between the two nations.

正值热浪穿越美中两国之际，在特朗普总统和习近平主席在今年6月底日本20国集团峰会期间举行的高级别会谈之后，中美之间的贸易紧张局势终于再次降温。此轮休战仍然是脆弱的且其取决于美国总统是否认为两国之间即将举行的双边贸易对话将取得进展。

As we reported in our previous news alerts, on May 17, 2019, the USTR published a list of products imported from China that would potentially be subject to an additional 10% tariff (the so-called "4th tanche"). This new round of tariffs will now go into effect on September 1 as announced by President Trump earlier this month, following an expected move by the White House, after an apparent truce had been reached by Trump and Xi that no new tariffs would be announced pending scheduled talks in September.

我们之前所报道的，在2019年5月17日，美国贸易代表公布了一份从中国进口的产品清单 （简称，"第四清单"），在此清单下的产品可能会被征收额外百分之十的关税。在特朗普总统和习主席已达成明确休战协议并表示在九月双方计划谈判待定之时不会宣布施加新关税之后，正如特朗普总统在本月早些时候宣布的一样，这一轮新的关税将于2019年9月1日起生效。

Today, the USTR announced the next steps in processing the additional 10% duties on a reported $300 billion of Chinese imports. Certain products have been removed from the original tariff list based on "health, safety, national security, etc." and will not face additional tariffs. Further, as part of the USTR's public comment and hearing process, it was determined that tariffs would be delayed until December 15, 2019 for certain other articles on "List 4B." Products on this List 4B include, for example, cell phones, laptop computers, video game consoles, certain toys, computer monitors, and certain items of footwear and clothing. Products on "List 4A" remain, however, subject to the additional 10% duties effective September 1, 2019. The USTR intends to conduct an exclusion process for products subject to the additional tariffs and will publish this process in the Federal Register in the very near future, as well as other details and lists of the affected tariff lines implicated in this recent announcement.

今天，美国贸易代表宣布了对价值3000亿美元的中国产品征收百分之十额外关税的下一步举措。在最初颁布的清单中的特定产品，包括基于"健康，安全，国家安全"等因素的产品将从清单出除去且将不会面临额外关税。此外，作为评论和听证程序的一部分，美国贸易代表办公室决定对清单"4B"下产品额外关税的征收推迟至2019年12月15日。清单4B下的产品包含了手机，笔记本电脑，视频游戏机，部分玩具，电脑显示屏及某些鞋类和衣物。然而，在清单"4A"下的产品依然将在2019年9月1日之时被征收百分之十的额外关税。美国贸易代表办公室打算为将被征收额外关税的产品制定关税豁免申请程序，并将在《联邦纪事》中公布豁免申请流程以及在此次公告中涉及的征收关税产品明细和其他细节。

With respect to the first three tranches of Section 301 tariffs, the U.S. Trade Representative continues to grant certain exclusion requests for the first tranche of 301 tariffs on a periodic basis. As of today, the USTR has announced six rounds of exclusion granted for the first tranche. The second tranche of 301 tariffs exclusion requests are now also being considered by the USTR. The exclusion procedure for the third tranche of 301 tariffs was officially opened on June 30, 2019 and the window for submitting an exclusion request will remain open until September 30, 2019. **Companies affected by the third tranche must file their exclusion requests before September 30, 2019 in order for the exclusion to be considered. Remember, if an exclusion is granted, it applies retroactively to the date that the additional tariff duty went into effect.**

关于301条款下的前三批关税，美国贸易代表继续定期对第一批301条款下关税豁免申请进行批准。截至今天，美国贸易代表已对301条款下第一批提交的豁免申请进行了6个批次的批准。美国贸易代表同时也在审核301条款下第二批次关税豁免请求。第三批次301条款关税的豁免程序已于2019年6月30日正式开放，提交豁免请求的窗口将一直开放至2019年9月30日。**受301条款下第三批关税影响的公司必须在上述截止日期之前提交豁免申请以便美国贸易代表对申请进行裁决。请注意，一旦豁免申请被批准，其将追溯适用于额外关税的生效之日。**

With what appeared to be a better path after the Trump-Xi summit in Japan, on July 30, 2019, US Trade Representative Robert Lighthizer and Treasury Secretary Steven Mnuchin met with Chinese Vice-President Liu He in Shanghai to relaunch negotiations for a trade deal. The talks focused primarily on U.S. efforts to improve Beijing's protection of foreign intellectual property and reduce its policies requiring overseas companies to hand over sensitive technology and IP as a condition of doing business in China. This session also focused on services trade, nontariff barriers, and agriculture. Though no formal path to a trade deal was agreed to during this round of meetings, both sides report that the meetings were “frank and efficient.” According to the latest news from the White House, negotiations on an enforceable trade deal between U.S. and China will continue in Washington D.C. in early September. The ongoing trade talks is a positive sign of cooperation between the U.S. and China for a trade deal in the future, but many hurdles exist and points of distraction in both countries could again derail the talks. Importantly, fueling the otherwise unpredictable responses from the White House, the U.S. political scene will be in full display for the world in the coming months as the U.S. enters the 2020 election cycle. Coupled with this often backbiting and name-coming season of politics, the While House will be keen to demonstrate its toughness on China, especially now that President Trump has said that China in hoping a Democrat wins back the White House. In raising this rallying call, Trump is speaking to his base and showing toughness against China (even if no trade deal is struck) may play out over the next 15 months of campaigning. On the other hand, should Beijing place too much importance in the U.S. political polls, it could find itself waiting on a trade deal only to realize it must still deal with President Trump through 2024 in order to achieve this objective. There is much to lose for both sides as the world economy slows and other geo-political tensions fill the gap in what should be otherwise a win-win cooperation.

在特朗普-习近平峰会之后，两国似乎走上了一条更好的道路。今年7月30日，美国贸易代表罗伯特·莱希泽和财政部长史蒂芬·姆努钦在上海会见了中国副总统刘鹤，重新启动了贸易协议谈判。此次会谈主要集中在美国努力改善北京方面对海外知识产权的保护，并减少其要求海外公司移交敏感技术和知识产权作为在中国开展业务的条件的政策。此次会面还关注于服务贸易，非关税壁垒和农业等话题。虽然在本轮会议期间双方未能够通向达成任何正式的贸易协议的方向，但双方均表示本次会议是“坦率而有效”的。根据白宫方面的消息，中美之间就达成可执行贸易协议的谈判将于今年9月初继续在华盛顿特区举行。正在进行的贸易谈判是美中两国未来就达成贸易协议进行合作的积极迹象，但其中仍存在的许多障碍和干扰点可能再次破坏两国间的对话。重要的是，随着美国进入2020年选举周期，美国的政治舞台将在未来几个月内得到全面的展示，这煽动着白宫方面不可预计的回应。再加上充斥着背后中伤的即将到来的政治季节，白宫方面将热衷于展示其对中国的强硬态度，尤其是现在特朗普总统表示中国希望民主党重新赢回白宫。在发出这个号召的时候，特朗普总统正在他的大本营发表讲话，并表现出对中国的强硬态度；（即使没有达成任何贸易协议）这可能会在未来15个月的竞选期间发挥作用。另一方面，如果北京方面太过于重视美国的政治走向，其最终会意识到可能在2024年之前北京方面必须与特朗普总统打交道才能实现达成贸易协定这一目标。 随着世界经济放缓和其他地缘政治下的紧张局势，这本来应该促成双赢合作的局面，现在却使双方都遭受很多损失。

US-Asia: India to become Trump’s Latest Trade Target
美国-亚洲：印度即将成为特朗普总统最新的贸易目标

As the White House looks to cool its trade tensions with China and return to the negotiating table, President Trump sets his sights on a new target in South Asia – India. In this June, President Trump formally removed India from the Generalized System of Preferences (“GSP”), which is a program that grants duty-free treatment to imports from developing countries. India had been designated as a GSP nation since 1975.

正当白宫方面希望冷却与中国的贸易紧张局势并重返谈判桌之时，特朗普总统将目光瞄准了新目标南亚的印度。今年6月，特朗普总统正式将印度从普遍优惠制度（“普惠制”）中删除，这是一项对来自发展中国家的进口产品实行免税待遇的计划。印度自1975年以来被指定为普惠制国家。

In response, India issued retaliatory tariffs in June, setting duties as high as 70% on 28 products. These retaliatory tariffs were also in response to Trump’s refusal to exclude India from the steel and aluminum tariffs under Section 232 of the Trade Expansion Act of 1962. As Trump was focused on other larger trading partners, look for the Trump administration to consider a further response in the coming months.

作为回应，印度在今年6月份出台报复性关税，对28种美国产品征收高达百分之七十的关税。这些报复性关税也是为了回应特朗普拒绝将印度排除在根据《1962年贸易扩展法案》第232条下所制定的钢铁和铝额外关税之外。

US-European Union: Section 232 Auto Tariffs Delayed with Call for Negotiation
美国-欧盟：第232条汽车关税因谈判呼吁而延迟

As we previously reported this April, the Trump Administration proposed to place wide-ranging tariffs on automobiles and automotive parts based on concerns over “national security.” President Trump announced this May a six-month delay in setting new tariffs on auto imports while the Administration negotiates trade deals with Japan and the European Union. While these trade discussions are ongoing, it has allowed more time for U.S. lawmakers to propose legislation that may curb the President’s use of the law [Section 232 of the Trade Expansion Act of 1962] to set national security-based duties.

正如我们此前在今年4月报道的那样，特朗普政府提议由于对“国家安全”的担忧，将大面积对汽车和汽车零部件征收关税。特朗普总统今年5月宣布，在美国政府当局与日本和欧盟谈判贸易协议之时，将对汽车进口产品新关税的征收推迟六个月。虽然这些贸易对话正在进行中，但它能够使美国立法者有更多时间提出可能将限制总统根据《1962年贸易扩展法案》第232条下施加基于国家安全的关税的立法法案。

US-Canada/Mexico: Section 232 Duties on Steel and Aluminum
美国-加拿大/墨西哥：第232条款下对钢铁和铝制品的关税

Following President Trump's decision to remove Turkey from the 25% tariffs on its steel imports, the U.S. in May reached a deal with Canada and Mexico to lift the steel and aluminum import duties imposed on them under Section 232 of the Trade Expansion Act of 1962, along with the retaliatory tariffs on U.S. imports by Canada and Mexico.

在特朗普总统决定取消土耳其钢铁进口25%的关税之后，美国于今年5月与加拿大和墨西哥达成协议，取消其根据《1962年贸易扩展法案》第232条对两国征收的钢铁和铝进口关税。加拿大和墨西哥对美国进口产品施加的报复性关税也随即取消。

US: "Buy American" Initiative
美国："购买美国货"倡议

On Monday July 15, President Trump signed a third Executive Order, which is aimed to advance his "Buy American" Initiative. This latest order, titled "Executive Order on Maximizing Use of American – Made Goods, Products, and Materials" calls on relevant agencies to buy 95 percent of the iron and steel used in government projects from domestic companies, making a leap from the current 50 percent, along with new thresholds for non-steel and iron products. This new measure was built on President Trump's two earlier executive orders with the purpose of reinforcing his "Buy American, Hire American" efforts.

在今年7月15日，特朗普总统签署了第三份行政命令，旨在推进他的"购买美国货"的倡议。这份名为《最大限度地使用美国商品，产品和材料》的行政命令呼吁相关机构从美国国内公司购买政府项目中所使用95%的钢铁，使得钢铁国货的使用率由先前的50%直线上升，且对非钢铁产品的国货使用率设立了的新的要求。这项新措施建立在特朗普总统早先的两份行政命令之上，旨在加强他的"购买美国货，雇用美国人"的努力。

As always, we will continue to monitor the most recent trade situation and report back as new developments occur.
我们会持续关注最新的贸易咨询并及时报道最新进展。

Thank you.
谢谢您
Dickinson Wright China Team 迪克森律师事务所中国团队

Contact Person 联系人
Lianne Yan 阎凌燕
Lyan@dickinsonwright.com
248-433-7549 (Office) 586-945-1182 (Cell)

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