

CLIENT ALERT

June 20, 2019

1

INTERNATIONAL TRADE

Tariff Watch Update (18th Edition)

关税观察更新(第十八期)

U.S. Trade Representative releases the official procedures for exclusion requests for Chinese products under the “third tranche” of Section 301 tariffs

美国贸易代表正式发布301条款关税下第三清单中国产品的关税豁免申请程序

On June 19, 2019, U.S. Trade Representative (“USTR”) announced that it will begin accepting exclusion requests on **June 30, 2019**, for Chinese products classified within the so-called “third tranche” of Section 301 tariffs. Specifically, these exclusion requests pertain to the tariffs that went into effect on September 21, 2018 at 10 percent, and were increased to 25 percent on May 10, 2019, after the USTR and President had delayed the increases on two previous occasions. The deadline for submitting exclusion requests for the third tranche is **September 30, 2019**.

2019年6月19日，美国贸易代表宣布将于**2019年6月30日**开始接受301条款关税下第三清单中国产品的关税豁免申请。具体来说，这些豁免申请将涵盖于2018年9月21日生效的百分之十的额外关税以及在之前两次曾被总统和美国贸易代表推迟并于2019年5月10日增加至百分之二十五的额外关税。提交第三清单下关税豁免申请的截止日期为**2019年9月30日**。

Each request must specifically identify a particular product and provide “supporting data and rationale” for the requested exclusion. The USTR will evaluate each request on a case-by-case basis, taking into account the asserted rationale for the tariffs, whether the exclusion would undermine the objective of the Section 301 investigation, and whether the request defines the product with sufficient precision.

每一个豁免申请都必须明确标识特定产品并且为豁免提供“支持性数据和原因。”美国贸易代表将逐案评估每一个关税豁免申请，同时考虑征收此类关税的主张理由，包括关税的豁免是否会破坏301条款调查的目标以及该申请是否足够精确地定义了产品。

Interested persons seeking to exclude more than one must submit a separate request for each product. The USTR has also clarified that a single product may include two or more goods with similar product characteristics or attributes. For example, if a product comes in different sizes or models, you may be able to file a single exclusion request. This process is changed from the earlier exclusion process.

寻求豁免多个产品关税的利益相关方必须为每一种产品单独提交一个豁免申请。美国贸易代表同时澄清了一个产品可能包括两种或多种具有类似产品特性或属性的商品。例如，如果产品拥有不同的尺寸或型号，您可能能够为该产品仅提交一个豁免申请。这个流程与之前关税豁免流程有些许不同。

The exclusion request portal will open at noon EDT on June 30, 2019. Interested persons must submit requests for exclusions in the period between the opening of the portal on June 30, 2019, and the September 30, 2019 submission deadline. It is noted that all requests, responses to requests, and replies to response must be submitted through the online portal. Any granted exclusion will be applied retroactively beginning September 24, 2018, and extending for one year after the publication of the exclusion determination in the Federal Register.

提交关税豁免申请的门户网站将于美国东部时间2019年6月30日中午12点开放。利益相关方必须在2019年6月30日至2019年9月30日之间提交关税豁免申请。需要注意的是，此次所有的豁免申请，对申请的回复以及对回复做出的回应都必须通过关税豁免申请的门户网站提交。一旦某项产品获得关税豁免，生效日可追溯至2018年9月24日并且在《联邦纪事》中公布豁免决定后的一年内有效。

Related to the Section 301 tariffs, a number of U.S. senators have been highly critical of the Trump Administration’s escalating tariffs against China. On Tuesday, U.S. Trade Representative, Robert Lighthizer, testified before the Senate Finance Committee and the House Ways and Means Committee on Wednesday. The subject of both hearings was the President’s trade policy in 2019. While defending Trump’s aggressive tariff strategies against China, Lighthizer said that the U.S. would be willing to restart negotiations with China, as President Donald Trump prepares to meet with President Xi at the Upcoming G-20 Summit at the end of this month in Japan.

与301条款关税相关，一些美国参议员对特朗普政府对中国关税升级的举措采取高度批评的态度。美国贸易代表罗伯特·莱希特参加了周二在参议院财政委员会和周三在众议院筹款委员会举行的听证会。这两次听证会的主题都是美国总统2019年的贸易政策。虽然罗伯特·莱希特继续捍卫特朗普总统对中国激进的关税战略，他表示美国将愿意重启与中国的谈判，因为特朗普总统将在本月底于日本举行的G20峰会上与习近平主席会面。

As always, we will also continue to follow the USTR’s actions on the Section 301 tariffs and report back when more news is coming. Otherwise, if your products are listed on the “third tranche” of Section 301 tariffs, it is time to begin preparing your tariff exclusion request. The Dickinson Wright team is available to help you prepare and submit your exclusion request. Please contact us today to get started.

与往常一样，我们将继续关注美国贸易代表对301条款下关税采取的行动，并随时向大家汇报最新的消息。如果您的产品属于301条款关税的第三清单中，现在应该开始准备产品的豁免申请了。我们的团队可以帮助您准备和提交豁免申请。请立即联系我们。

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)

For previous versions, please click [here](#)
阅读其它相关文章，请点击：[更多文章](#)

WWW.DICKINSONWRIGHT.COM

DICKINSON WRIGHT

ARIZONA CALIFORNIA FLORIDA KENTUCKY MICHIGAN NEVADA OHIO TENNESSEE TEXAS WASHINGTON DC TORONTO