



USTR Announces Updates to Section 301 Tariff Measures and Exclusions

On 21 December 2022, US Trade Representative (“USTR”) granted extensions through 30 September 2023 for 352 exclusions that were set to expire on 31 December 2022. The exclusions cover various products across Lists 1, 2, and 3 of the supplemental tariffs on Chinese origin goods.

These latest actions followed various other actions taken during the last four months of 2022, including:

- On 8 September 2022, the USTR announced the results of its statutorily required four-year review of List 1 and List 2 tariff measures on specified China-origin goods under Section 301 of the Trade Act of 1974. USTR confirmed that Lists 1 and 2 will remain in effect, subject to possible further modifications, based on input from domestic industries.
- On 17 October 2022, the USTR requested comments covering Section 301 Lists 1 and 2. Comments submitted through the comments close date of 17 January 2023 are being further examined by the USTR.
- On 29 November 2022, USTR extended the 81 COVID-19 related exclusions covering medical-care products through 28 February 2023 from the prior expiration date of 30 November 2022.

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- Obtaining and analyzing import data to assess the potential impacts of the supplemental tariffs;
- Examining supply chains and imported products to determine opportunities to manage increased costs due to the supplemental tariffs;
- Conducting strategic sourcing reviews to identify potential alternative sources of affected products;

- Scrutinizing the accuracy of tariff classifications;
- Considering tariff engineering opportunities;
- Reviewing Incoterms® used in contracts to confirm responsibilities for customs duty payments; and
- Undertaking customs valuation planning to manage the impacts of the supplemental tariffs.

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